

By Mr. ZIHLMAN: Resolution (H. Res. 334) providing for the appointment of a committee to investigate the hacking laws of the District of Columbia; to the Committee on Rules.

By Mr. MADDEN: Resolution (H. Res. 335) requesting the Interstate Commerce Commission to investigate the operations of the Adams Express Co. and report its findings to the House of Representatives; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 9933) for the relief of Wilhelm Alexanderson and the members of his crew, the said Wilhelm Alexanderson being the owner of the motor boat *Spray*; to the Committee on Claims.

By Mr. ELLIOTT: A bill (H. R. 9934) granting a pension to Phoebe Morgan; to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 9935) granting an increase of pension to Frank E. Drew; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 9936) for the relief of J. M. Farrell; to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 9937) granting a pension to Emma L. Pugh; to the Committee on Invalid Pensions.

By Mr. HULINGS: A bill (H. R. 9938) granting a pension to Robert Criswell Pollock; to the Committee on Invalid Pensions.

By Mr. JEFFERIS: A bill (H. R. 9939) authorizing the Treasurer of the United States to pay to Henry J. Meyers the sum of \$785.10 as full compensation for services rendered as a member of local draft board No. 1, city of Omaha, State of Nebraska; to the Committee on Military Affairs.

Also, a bill (H. R. 9940) granting an increase of pension to Alzina S. Swobe; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 9941) granting an increase of pension to William N. King; to the Committee on Pensions.

By Mr. NOLAN: A bill (H. R. 9942) granting a pension to Rosa McPhetridge; to the Committee on Pensions.

By Mr. WHITE of Maine: A bill (H. R. 9943) granting an increase of pension to Frank H. Read; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of New York, favoring the impeachment of President Woodrow Wilson on the ground that without the consent of Congress he has unlawfully commanded our troops to wage war in Russia and Siberia; to the Committee on the Judiciary.

Also (by request), petition of B. J. Sutherland and others of Missouri, favoring the impeachment of Woodrow Wilson, President of the United States, on the ground that without the consent of Congress he has unlawfully commanded our troops to wage war in Russia and Siberia; to the Committee on the Judiciary.

By Mr. BACHARACH: Resolutions adopted by the Lithuanians of the State of New Jersey in re recognition of Lithuania as a free and independent State; to the Committee on Foreign Affairs.

By Mr. OSBORNE: Memorial of Association of Business Organizations of Los Angeles, Calif., representing 22 principal commercial organizations of that vicinity, requesting that because of the entirely different operating and other conditions electric railways be eliminated from legislation affecting steam railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, October 15, 1919.

(Legislative day of Tuesday, October 14, 1919.)

The Senate met at 11 o'clock a. m.

The VICE PRESIDENT resumed the chair.

Mr. PENROSE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Calder	Dial	Frelinghuysen
Ball	Capper	Dillingham	Gay
Bankhead	Chamberlain	Fall	Gerry
Beckham	Colt	Fletcher	Grønna
Brandegge	Culberson	France	Harding

Harris	La Follette	Page	Sterling
Harrison	Lenroot	Penrose	Sutherland
Henderson	Lodge	Poinceter	Swanson
Hitchcock	McCumber	Pomerene	Thomas
Johnson, Calif.	McKellar	Ransdell	Trammell
Jones, Wash.	McNary	Reed	Underwood
Kellogg	Nelson	Robinson	Wadsworth
Kendrick	New	Sheppard	Walsh, Mass.
Kenyon	Newberry	Simmons	Walsh, Mont.
Keyes	Norris	Smith, Ariz.	Watson
King	Nugent	Smoot	Williams
Kirby	Overman	Spencer	Wolcott
Knox	Owen	Stanley	

Mr. DIAL. I wish to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is absent on account of illness in his family. I will let this announcement stand for the day.

Mr. NEWBERRY. I wish to state that the Senator from Wyoming [Mr. WARREN], the Senator from Kansas [Mr. CURTIS], and the Senator from Colorado [Mr. PHIPPS] are absent on business of the Senate.

Mr. FRELINGHUYSEN. I desire to announce that the Senator from Iowa [Mr. CUMMINS], the Senator from Michigan [Mr. TOWNSEND], and the Senator from Maine [Mr. FERNALD] are absent in committee.

Mr. GERRY. The Senator from South Dakota [Mr. JOHNSON] is detained from the Senate by illness in his family. The Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. PITTMAN], the Senator from Georgia [Mr. SMITH], the Senator from Maryland [Mr. SMITH], the Senator from Oklahoma [Mr. GORE], the Senator from New Mexico [Mr. JONES], and the Senator from Tennessee [Mr. SHIELDS] are absent on official business.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present.

PROMOTION OF FOREIGN COMMERCE.

The VICE PRESIDENT. As in legislative session, the Chair lays before the Senate a communication from the War Finance Corporation in response to a resolution of the 1st instant, which will be inserted in the Record.

The communication is as follows:

WAR FINANCE CORPORATION,
Washington, October 11, 1919.

THE SECRETARY OF THE UNITED STATES SENATE,
The Capitol.

SIR: In response to Senate resolution No. 203, the War Finance Corporation respectfully submits the following:

1. The activities of the War Finance Corporation in respect to the promotion and development of the foreign commerce of the United States are confined exclusively to making advances in order to promote commerce with foreign nations through the extension of credits:

(a) To any person, firm, corporation, or association engaged in the business in the United States of exporting therefrom domestic products to foreign countries, if such person, firm, corporation, or association is, in the opinion of the board of directors of the corporation, unable to obtain funds upon reasonable terms through banking channels.

(b) To any bank, banker, or trust company of the United States which after the passage of the amendment to the act shall make an advance to any such person, firm, corporation, or association for the purpose of assisting in the exportation of such products.

2. The act of March 3, 1919 (Public No. 328, 65th Cong.), conferring these powers on the corporation expressly provides that advances may be made until the expiration of one year after the termination of the war, as fixed by the proclamation of the President. It will be seen, therefore, that the powers conferred upon the War Finance Corporation in respect to promoting foreign commerce are of an emergency character only.

3. It is manifestly impracticable to estimate the cost of such work, as the work in connection with the foreign trade authorized to be carried on by the War Finance Corporation is done by the regular employees of the corporation in connection with their general duties.

The amount of time devoted by such employees to the promotion of foreign trade is negligible as compared with the general duties performed by them.

The total number of employees engaged in the general business of the corporation, including secretary-treasurer, counsel, expert examiners, bookkeepers, statisticians, clerks, stenographers, messengers, and charwomen, is at the present time 28, but this number is being gradually reduced.

The total amount of compensation paid such employees amounts, in the aggregate, to the sum of \$6,229.83 per month.

It is suggested that the expense of carrying on the work of the War Finance Corporation relating to foreign commerce can not be said to be a "cost to the Government," for the reason that all of the expenses of the corporation are paid out of its earnings, and the earnings are greatly in excess of expenses, so that in the liquidation of the assets of the corporation it is believed that a substantial amount will be returned to the Treasury over and above operating expenses.

4. It is respectfully suggested that the activities of the War Finance Corporation in respect to foreign trade are special in their character and in no sense a duplication of the work performed by other agencies or bureaus of the Government.

5. Inasmuch as the work of the War Finance Corporation in respect to foreign commerce is essentially of an emergency character and of an entirely different nature from that carried on by the other departments set out in the Senate resolution, the corporation is unable to submit any suggestions and recommendations looking to the closer cooperation and coordination of the various agencies of the Government for the effective promotion of the foreign commerce of the United States.

Respectfully submitted, by order of the board of directors of the War Finance Corporation, this the 11th day of October, 1919.

ANGUS W. MCLEAN,
Acting Managing Director.

HYGIENIC LABORATORY, WASHINGTON, D. C. (S. DOC. NO. 134).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Surgeon General of the United States Public Health Service submitting a deficiency estimate of appropriations in the sum of \$30,000 for the purchase and installation of additional furniture and equipment for the new additions to the Hygienic Laboratory, Washington, D. C., which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 6810. An act to prohibit intoxicating beverages and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in scientific research and in the development of fuel, dye, and other lawful industries;

H. R. 7972. An act to improve the administration of the Postal Service in the Territory of Hawaii, in Porto Rico, and the Virgin Islands; and

H. R. 8986. An act granting the consent of Congress to the Paris-Hugo Bridge Co. to construct a bridge and approaches thereto across Red River near Arthur City, Lamar County, Tex.

PETITIONS AND MEMORIALS.

Mr. McLEAN presented a memorial of the Friends of Irish Freedom, of New Haven, Conn., remonstrating against the ratification of the proposed league of nations covenant and praying for its separation from the treaty of peace with Germany, which was ordered to lie on the table.

He also presented petitions of the Local Grange of West Hartford, of the Young People's Society of the Christian Endeavor of the First Congregational Church of Somers, and of the Archdeaconry of the Episcopal Church of Bristol, all in the State of Connecticut, praying for the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

He also presented a petition signed by the governor of Connecticut and sundry citizens of Hartford, Conn., praying for an investigation in the recent race riots and lynching, which was referred to the Committee on the Judiciary.

He also presented petitions of the congregations of the Church of Christ of Orange, Conn., and of the First Congregational Church of Bloomfield, Conn., praying that immediate steps be taken by the United States Government to prevent the extermination of the Armenian people by the Turks, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry Lithuanian citizens of New Haven, Conn., praying that the United States Government take steps to aid the Lithuanian Government in defending itself from Polish, Russian, and German imperialism, which was referred to the Committee on Foreign Relations.

Mr. MOSES presented a petition from the United Baptist Convention of New Hampshire assembled at Manchester, N. H., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 3231) to make unlawful the unauthorized manufacture and wearing of insignia of the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 3232) granting an increase of pension to Anna Higgins; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3233) regulating the education and naturalization of aliens and the children of aliens, and for other purposes; to the Committee on Education and Labor.

By Mr. SUTHERLAND:

A bill (S. 3234) granting an increase of pension to Enoch F. Blackwell; to the Committee on Pensions.

THE SHANTUNG QUESTION.

Mr. FLETCHER. Mr. President, on August 30, 1919, there appeared in the Living Church an editorial which deals very forcefully with the Shantung question. I ask to have it printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Living Church, Aug. 30, 1919.]

"THE HONOR OF THE AMERICAN PEOPLE IS AT STAKE."

"The American people ought seriously to realize that if the United States Senate should carry the recommendation of its Foreign Affairs Committee into effect, amending the pending treaty of peace by providing for the transfer of Shantung to China instead of to Japan, it would involve three things—a national dishonor to ourselves, an act of perfidy toward three of our allies—Great Britain, France, and Japan—and an irritant to at least the latter that might be deemed a *casus belli* and would certainly be viewed (quite rightly) as a very unfriendly act. On the other hand, since we would be powerless, on our own motion, to effect the transfer to China unless we chose to make the attempt by declaring war against the three nations mentioned and should win the war, the proposed change in the language of the treaty would be of not the slightest value to China; while, by repudiating the treaty, as we should thus do, we should relieve Germany of all the obligations relating to ourselves which she has been forced to assume, and should dissociate ourselves from the forces of civilization that are now compelling Germany to make some form of restitution for her misdeeds in the past.

"For it must be remembered that the chief issue involved in this Shantung matter, so far as the powers are concerned, is the sanctity of treaties. And the Senate committee is deliberately demanding that Great Britain and France make of their treaty with Japan a 'scrap of paper,' with the penalty that the United States will withdraw from the association with these powers in making peace with Germany if they refuse to do so.

"As representing the conscience of some considerable part of the American people, we unhesitatingly declare that position to involve national dishonor for the American Nation.

"Whatever wrong was done to China—and it was a genuine wrong—was done by Germany when, in 1898, she forced the treaty which gave her the 'lease' of the Kiaochow Bay section of the Province of Shantung; and it was a wrong in which Russia, England, and France immediately afterwards participated by seizing other desirable portions of the China coast and forcing similar 'leases' in their respective interests. If the United States had protested against this wrong at the time it was committed she would have some color—though not much—for the present demand of the Senate committee that Japan, as successor to the 'rights' of Germany, should be deprived of those 'rights,' while no such demand is made upon England or France. The United States made no such protest. The world has acquiesced in the wrong then committed. No nation, unless it be China herself, can intervene now, 20 years too late, and say that the lease to Germany can not be taken over by Japan, who ousted the Germans from their possessions in China precisely as Great Britain and her dominions ousted them from other German colonies, as incidents in the World War.

"That long before we entered the war Great Britain and France made a secret treaty with Japan guaranteeing to the latter her succession to the German lease on condition that she oust the Germans from it is regrettable to us, who do not believe in secret treaties, though entirely in accordance with the general practice of other nations than our own. But as we were holding ourselves carefully aloof from the nations that were straining their resources to repel the German invasion, we have very little right to criticize these for making the engagement. The fact that the treaty was a secret one does not relieve the signatory powers from their obligations under it. Moreover, even if these powers were bound by Mr. Wilson's denunciation of secret treaties made three years later, which, of course, is a preposterous position, it still remains that Mr. Wilson, in his 14 'points,' never demanded that secret treaties already made should be repudiated but only that in future there should be no more of them.

"Mr. Wilson's attitude at Versailles with respect to Shantung, if we understand it aright, was an earnest plea to Japan voluntarily to recede from the rights she had won in China, in order to cooperate in the beginning of a new world era in which weak nations should no longer be despoiled by stronger nations. It would have been a magnificent thing for Japan if she had voluntarily accepted that principle. It would have given her the confidence of the world. It would have guaranteed to her such a moral influence in Chinese affairs as would have been of lasting value to her. It would have cemented her friendship with America. It would have made her the world's leader in dealing with the problems of territorial reconstruction.

"But Japan did not. She insisted upon her rights under the treaty. She had every legal right thus to insist upon them. Great Britain and France fulfilled their obligation to guarantee those rights to her. These nations would have shared in the

perfidy of Germany if they had violated their obligation. And if Mr. Wilson had insisted that they do so on pain of refusing American assent to the treaty of peace, he would have committed the American Nation to a demand that Great Britain and France, having profited by their treaty with Japan, now repudiate their obligations under that treaty.

"That is precisely what the United States Senate will have done if it amends the treaty in accordance with the recommendation of Mr. Lodge's committee. But the Senate, in that event, will also adopt a peculiarly discourteous method in doing that which is in itself dishonorable. Instead of negotiating with Japan, England, and France in diplomatic manner in an attempt to undo their own treaty on the ground that we (whom it does not concern) disapprove of it, the Senate is asked by its committee to use its own constitutional power of force—for we will not call it a right—to refuse assent to the treaty of peace except on the condition that these nations comply with our demand.

"The United States, as the disinterested friend of Japan and China, was entirely within her rights in urging the former of these to recede from her rights under that treaty; but she has not the faintest color of right to demand that Japan do so. To formulate such a demand, even in a diplomatic manner, would be a national impertinence which would be, and ought to be, indignantly resented by Japan. And now, from being, two years ago, an appreciated friend of the nations that were in distress, we shall become, if this committee recommendation shall be made the action of the Senate, an international bully, selecting the most offensive way in which to accomplish that which is in itself dishonorable. And the absolute futility of the action is as conspicuous as its impropriety.

"Do the American people realize that this position has been deliberately avowed by a Senate committee, and that there is grave danger that it will be accepted by the Senate itself?

"This is not a political issue; it is an issue in which the honor of the American people is involved, and it is the paramount duty of religious leaders of the Nation to demand that the Senate act both honorably and courteously toward those nations that have solemnly entered into treaty obligations with each other, which obligations now they must fulfill.

"And it should be made perfectly clear to those who are promoting this act of national perfidy in the Senate that the religious sense of the Nation will hold them personally responsible and any political party which may uphold them politically responsible, for what will have become the blackest chapter in American history.

"All that our boys have won in France for American prestige and American honor is now being seriously imperiled by the men who bear the responsibility of the American people in the Senate.

"We shall hope that this may be thoroughly understood throughout the country, and that the conscience of the American people will assert itself in demands upon their Senators that they emphatically reject the amendment which has been proposed by their Committee on Foreign Affairs."

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. COLT. Mr. President, before voting upon the Shantung amendment and the Johnson amendment I wish to call the attention of the Senate to the vital distinction between a textual amendment to a treaty and a reservation.

A textual amendment changes the treaty as to all the parties.

A reservation changes the treaty only as to the reserving party.

A textual amendment in fact makes a new treaty, which must be submitted to all the signatories for their approval.

A reservation does not make a new treaty, because it leaves the treaty intact as to all the other signatories and merely changes it as to the reserving party.

Hence it has become a settled rule of international law that in a treaty between more than two parties a party may make certain changes in the treaty which are expressed in the form of reservations, and may ratify the treaty with these reservations as a part of the instrument of ratification. In such a case there is no resubmission to the other parties, as in the case of a textual amendment. Upon the ratification of the treaty with these reservations, if the other parties to the treaty remain silent they are presumed to have acquiesced in these reservations.

Oppenheim states the rule as follows:

If, however, a party to a treaty concluded between more than two parties signs it with a reservation as regards certain articles, such party is not bound by these articles, although it ratifies the treaty.

Oppenheim also cites the case of the antislavery conference, of July 2, 1890, in which France excepted certain articles from

her ratification, and, the other powers having "acquiesced," France was not bound by these articles.

We are all familiar with the fact that it is common for the United States to make reservations in ratifying treaties, as, for example, the treaty of Algeiras and The Hague peace conferences; and in these instances the reservations were acquiesced in by the other parties. It is well to remember in this connection that it is usage or custom which makes international law.

Let us now apply this distinction between a textual amendment and a reservation to the pending Shantung and Johnson amendments. The Shantung amendment changes the text of the treaty by substituting China for Japan in certain articles. With this textual change we have made a new treaty which must be submitted to all the signatories for their approval. This requires new negotiations with every signatory and opens a wide door for controversy. Would England or France, not to mention Japan, accept this new treaty? Looking at the existing international conditions, is it not apparent that this treaty would fail if this amendment were adopted?

But suppose now we express our dissent to the Shantung articles in the form of a reservation; suppose we adopt a reservation in effect that the United States withholds its assent as to these articles and reserves full liberty of action with respect to any controversy which may arise under these articles between China and Japan. The effect of this reservation is simply to change the treaty so far as the United States is concerned and to leave it in full force as to the other powers. In this way we will have accomplished the same end as by an amendment, and in a manner which will not defeat the treaty.

Now, all we have said in regard to the Shantung amendment applies with equal force to the Johnson amendment. The Johnson amendment provides that the United States shall have votes in the assembly or council of the league numerically equal to the aggregate vote of a member of the league and its self-governing colonies and dominions. In its practical application this means that the United States shall have a vote equal to the aggregate vote of Great Britain, Canada, Australia, New Zealand, South Africa, and India. Under this arrangement Great Britain and her self-governing colonies and dominions would have six votes; the United States, without any self-governing colonies and dominions, six votes; and the other members of the league only one vote each. If there is an inequality in giving the British Empire six votes, do we remedy this evil by giving the United States six votes and leaving France and Italy and some twenty-odd other members of the league with only a single vote?

While there are equitable grounds for giving votes to the British self-governing colonies and dominions by reason of the part they took in the war, we must not overlook the fact that this is an association of sovereign nations and that these colonies and dominions are far from being sovereign States. The Imperial Parliament of Great Britain is the real sovereign over the whole British Empire. As Dicey says, in *The Law of the Constitution*:

No lawyer questions that Parliament could legally abolish any colonial constitution, or that Parliament can at any moment legislate for the colonies and repeal or override any colonial law whatever.

I can not conceive that the other members of the league would be willing to adopt a new treaty containing the Johnson amendment, and to my mind this amendment would certainly defeat the treaty.

Conceding that there is an inequality in giving the British Empire six votes, the way to cure that inequality is not by extending it to the United States, but by reducing the British Empire's voting strength to one vote, which can be done by reservations. In doing this we are only carrying out the great principle which underlies all international organizations, that each sovereign State, great or small, has an equal standing and is entitled to a single vote. It is not difficult to frame a reservation that the United States assumes no obligations to be bound by any election, decision, or finding of the council or assembly in which any member and its self-governing colonies or dominions have had in the aggregate more than one vote; and also a reservation that in the case of a dispute from which the parties are excluded from voting the word "party" includes the dominant member and all its self-governing colonies and dominions. I am not undertaking to give the exact form of these reservations. I am saying, however, that it is a comparatively easy matter to frame reservations which will give Great Britain and her self-governing colonies and dominions only one vote in all matters in which the United States is interested, and that this is the only just solution of the inequality problem.

The three most popular objections which are urged against the ratification of this treaty are the transfer of Shantung to

Japan, the six votes of the British Empire, and the charge that the United States under the covenant is called upon to intervene in every European war. I have outlined how in my opinion the first two objections can be overcome by reservations, and I would like to state how, in my opinion, the last objection should be met.

Article 10 of the league is the only article in which the United States obligates itself to declare war or to intervene by force of arms in European quarrels. Under article 10 this country agrees to preserve the territorial integrity and existing political independence of the members of the league against external aggression. We have here a solemn contract which the United States must fulfill. We obligate ourselves to preserve against external aggression the territorial boundaries of the members of the league, and this means war or armed intervention. There is no element of judgment or discretion in the matter—we must do the thing we covenant to do. The fact that Congress alone under our Constitution has power to declare war in no way relieves us of this obligation. This contract being within the treaty-making power, Congress is under an obligation to carry it out whether it approves of the war or not. Some confusion of thought has arisen from the assertion that the obligation under article 10 is a moral obligation, and hence that the United States or Congress could exercise its judgment in any given case. This position will not bear examination. There is no difference in the binding force between a moral and a legal obligation. The only difference lies in the sanction or the means by which the obligation is enforced. A legal obligation is enforced by the sanction of compulsion or by the courts; a moral obligation is enforced by the sanction of the conscience or public opinion; but the binding force of the obligation to do the thing you agreed to do is the same in either case. All international laws rest upon moral obligations, because there is no compulsory sanction to enforce them. If you admit the principle that the obligations arising under international law are matters of judgment or discretion, you undermine the whole structure and admit the justification of Germany in invading Belgium.

Taking this view of the sacredness and binding force of our obligation under article 10, I believe that the United States should be relieved of this obligation and the whole question of armed intervention under the covenant should be left for Congress to decide in each case as it arises; and this can all be accomplished by a reservation.

Mr. President, I have always been in favor of the ratification of this treaty with reservations safeguarding American interests. I am in favor of a reservation exempting the United States from the Shantung articles. I am in favor of a reservation equalizing the voting strength of the United States and the British Empire by giving the British Empire only one vote in all matters in which the United States is directly or indirectly interested. I am in favor of a reservation relieving the United States from its obligations under article 10 and leaving it to the judgment of Congress whether in any given case the United States will intervene to preserve the territorial boundaries or the political independence of members of the league. I am in favor of a reservation which makes it clear that the United States can withdraw from the league upon giving two years' notice under article I. Under that article I think each sovereign State is the judge as to whether it has fulfilled its international obligations and its obligations under the covenant, because no power to pass upon this question by either the council or the assembly is found in the covenant. At the same time, as this article is open to another construction, I would correct this ambiguity by an interpretative reservation.

I am in favor of a reservation clarifying the article dealing with the Monroe doctrine and making it certain in case of any dispute that the United States is to be the judge as to whether it is within that doctrine. It must be made clear and certain that the Monroe doctrine is outside the jurisdiction of the league.

I am in favor of taking away from the council the power to decide whether a dispute relates to domestic questions and expressly reserving that right to the United States; and also of amplifying the fact that all internal and domestic questions are outside the jurisdiction of the league.

Mr. President, I deem all these reservations essential for the protection of America and that they should be incorporated in the instrument of ratification as the conditions upon which we ratify the treaty. The United States occupies a peculiar and unique position in the family of nations, and we should protect in all essential respects our domestic and foreign policies.

Mr. President, these reservations leave unimpaired the great principles underlying the league of nations. We still have an association of free nations cooperating to secure the present and future peace of the world. We still have obligatory confer-

ences, the provisions relating to compulsory arbitration and inquiry, the reduction of armament, and other kindred provisions—all aimed at the great object of lessening war and preventing a repetition of the frightful scenes through which the world has just passed.

Mr. OWEN. Mr. President, it is my purpose to offer an interpretative resolution to the treaty with Germany, to which I wish to call the attention of the Senate, as follows:

Interpretative resolution.

Resolved: 1. The United States, in ratifying the covenant of the league of nations and the treaty with Germany, does not intend to be understood as modifying in any degree the obligations entered into by the United States and the Entente Allies in the agreement set forth by the Secretary of State on November 5, 1918, in his communication to the minister of Switzerland in charge of German interests in the United States, upon which as a basis the German Empire agreed to the armistice of November 11, 1918, and laid down its arms. The United States regards that contract to carry out the principles set forth by the President of the United States on January 8, 1918, and in subsequent addresses, as a world agreement binding on the great nations which entered into it, and that the principles there set forth will be carried out in due time through the mechanism provided in the covenant, and that the covenant provisions, including article 23, paragraph (b), pledging the members of the league to undertake to secure just treatment of the native inhabitants under their control, involves a pledge to carry out these principles.

2. Article 147, under which Germany recognizes the protectorate proclaimed over Egypt by Great Britain, is understood to be merely a means through which the nominal suzerainty of Turkey over Egypt shall be transferred to the Egyptian people, and shall not be construed as a recognition by the United States in Great Britain of any sovereign rights over the Egyptian people or as depriving the people of Egypt of any of their rights of self-government.

Mr. President, on page 183 of the treaty of peace with Germany, article 147, it is provided:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914.

And when this treaty is agreed to by all the nations parties thereto it might appear to be a commitment in favor of the protectorate proclaimed as a war measure in 1914 by Great Britain over the Egyptian people.

In considering the rights of subject peoples throughout the world—the people in Shantung, where the sovereignty properly belongs to the Chinese people; in Egypt, where the sovereignty properly belongs to the Egyptian people; in Ireland, where the sovereignty and the right of self-government belong to the Irish people; in Poland, where the sovereignty belongs to the Polish people; in the Philippines, where the sovereignty belongs to the Philippine people of right—I want to call the attention of the Senate to what the agreement was on the part of the Entente Allies, entered into by the Lansing statement of November 5, 1918. I regard it as the most important agreement ever entered into by modern nations. It is binding on all the belligerents as a solemn covenant of august dignity with which they bought the peace of the world on the battle field.

It is a solemn pledge to recognize the rights of all nations and peoples, subject or not subject, to self-government, and that no government may be exercised over one people by another without the consent of the governed. It is a pledge to give the people of Ireland and of Porto Rico, of Egypt and of the Philippines, and of the world self-government whenever they are competent to exercise it, and in any contingency to govern the weak peoples as a sacred trust for the benefit of the governed in fullest good faith.

On November 6, 1918, the Secretary of State, Mr. Lansing, published the following to the world:

From the Secretary of State to the Minister of Switzerland, in charge of German interests in the United States.

DEPARTMENT OF STATE,
November 5, 1918.

Sir: I have the honor to request you to transmit the following communication to the German Government:

In my note of October 23, 1918, I advised you that the President had transmitted his correspondence with the German authorities to the Governments with which the Government of the United States is associated as a belligerent, with the suggestion that if those Governments were disposed to effect peace upon the terms and principles indicated their military advisers and the military advisers of the United States be asked to submit to the Governments associated against Germany the necessary terms of such armistice as would fully protect the interests of the peoples involved and insure to the associated Governments the unrestricted power to safeguard and enforce the details of the peace to which the German Government had agreed, provided they deemed such an armistice possible from the military point of view.

The President is now in receipt of a memorandum of observations by the allied Governments on this correspondence, which is as follows:

The allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of settlement announced in his subsequent addresses. They must point out, however, that clause 2, relating to what is usually described as the freedom of the seas, is open to various interpretations, some of which they could not accept. They must, therefore, reserve to themselves complete freedom on this subject when they enter the peace conference.

"Further, in the conditions of peace laid down in his address to Congress of January 8, 1918, the President declared that invaded territories must be restored as well as evacuated and freed, and the allied Governments feel that no doubt ought to be allowed to exist as to what this provision implies. By it they understand that compensation will be made by Germany for all damage done to the civilian population of the Allies and their property by the aggression of Germany by land, by sea, and from the air."

I am instructed by the President to say that he is in agreement with the interpretation set forth in the last paragraph of the memorandum above quoted. I am further instructed by the President to request you to notify the German Government that Marshal Foch has been authorized by the Government of the United States and the allied Governments to receive properly accredited representatives of the German Government, and to communicate to them the terms of the armistice.

Accept, sir, with renewed assurances of my highest consideration.
(Signed) ROBERT LANSING.

MR. HANS SULZER,
Minister of Switzerland.
In charge of German interests in the United States.

This agreement refers to the statement of the President and the so-called 14 points, which all relate to the establishment in some respect of liberty and the maintenance of freedom and self-government of the various peoples of the world.

Mr. President, upon the basis of that instrument, committing the allied Governments to the principles laid down by the President of the United States in his address of January 8, 1918, and subsequent addresses, including those of February 11, 1918, July 4, 1918, and September 27, 1918, the German Government and armies agreed to the armistice. They laid down their arms. They practically put themselves where they were compelled to submit to a dictated peace. It was a contract; it was a world contract; and therefore these addresses of the President of the United States of January 8, of February 11, of July 4, and of September 24, 1918, became supremely important as a part of the contract. The principles which are laid down in those addresses of the President of the United States, accepted by the entente belligerents, became the basis of the treaty with Germany, and the treaty with Germany must be construed in the light of the contract set forth November 5, 1918, on the battle field by which this war was ended. There is no contract which can surpass it in dignity or in force. Therefore, in considering Shantung and the sovereignty to be exercised by the Chinese people over themselves and their own right of self-government, in considering the question of Egypt to the right of self-government and the question of Ireland and the right of the Irish people to self-government, in considering the question of any of these subject peoples and their right of self-government, I feel justified in calling the attention of the Senate and calling the attention of the world to what that agreement was, that it may not be overlooked when we deal with the democratization of the world, for that is what this war was intended to accomplish, and that is what this war has accomplished.

MR. KING. Mr. President, will the Senator permit an interruption?

MR. OWEN. I will.

MR. KING. I am not quite sure that I understand the position the Senator takes, and for that reason I am making this inquiry. Does the Senator contend that under the addresses to which he refers, delivered by the President upon those various dates, and under the communication which was made by the Secretary of State to Mr. Sulzer, representing the German interests in the United States, we agreed that when we entered the peace conference every belligerent would submit to the peace conference the question of the political rights and boundaries of all of the dominions and provinces and territorial possessions of the belligerents? Does the Senator think that the contract, as he has denominated it, meant that at the peace conference the right of self-determination of the Hawaiian people, of the Porto Ricans, of the Cubans, of the Filipinos, of the Egyptians, of the Indians—I am referring to those who reside in British India—would be the subject of consideration and determination by the peace representatives? Or does not the Senator think that the clear implication of what he denominates the contract was that the peace conference should determine the disposition which should be made of the colonial and other possessions of the Central Powers, whether or not Poland should be set up as an independent nation, whether or not Alsace-Lorraine should be ceded back to France, whether a Czecho-Slovak republic and a Jugo-Slav government should be set up, carved out of the Governments of the Central Powers?

It seems to me that if the Senator places the former construction upon what he calls the contract he might challenge objection to that construction.

MR. OWEN. Mr. President, I think the Senator in the terms he uses goes further than the language which I used would imply. At the peace conference only the principals could speak while they drew the terms of the German treaty and drafted the covenant, but the covenant provides a mechanism which

will afford the means of carrying out the principles referred to, and I am interpreting the meaning of the covenant in the light of the agreements referred to of November 5, 1918. The language of the allied Governments' agreement was that they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of government enunciated in his subsequent addresses. These principles most emphatically were not to be applied to the Teutonic powers and their colonies, but to all the nations of the world, as, I think, is clearly demonstrable. Now, I am going to point out what the principles of these addresses were, so that the language shall speak for itself.

In his address of January 8, 1918, he said:

We entered this war because violations of right had occurred which touched us to the quick and made the life of our own people impossible unless they were corrected and the world secured once for all against their recurrence. What we demand in this war, therefore, is nothing peculiar to ourselves. It is that the world be made fit and safe to live in; and particularly that it be made safe for every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us. The program of the world's peace, therefore, is our program; and that program, the only possible program, as we see it, is this:

I. *Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.*

II. *Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.*

III. *The removal, so far as possible, of all economic barriers and the establishment of an equality of trade conditions among all the nations consenting to the peace and associating themselves for its maintenance.*

IV. *Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.*

V. *A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principle that in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.*

VI. *The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome, assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.*

VII. *Belgium, the whole world will agree, must be evacuated and restored, without any attempt to limit the sovereignty which she enjoys in common with all other free nations. No other single act will serve as this will serve to restore confidence among the nations in the laws which they have themselves set and determined for the government of their relations with one another. Without this healing act the whole structure and validity of international law is forever impaired.*

VIII. *All French territory should be freed and the invaded portions restored, and the wrong done to France by Prussia in 1871 in the matter of Alsace-Lorraine, which has unsettled the peace of the world for nearly 50 years, should be righted, in order that peace may once more be made secure in the interest of all.*

IX. *A readjustment of the frontiers of Italy should be effected along clearly recognizable lines of nationality.*

X. *The peoples of Austria-Hungary, whose place among the nations we wish to see safeguarded and assured, should be accorded the freest opportunity of autonomous development.*

XI. *Roumania, Serbia, and Montenegro should be evacuated; occupied territories restored; Serbia accorded free and secure access to the sea; and the relations of the several Balkan States to one another determined by friendly counsel along historically established lines of allegiance and nationality; and international guarantees of the political and economic independence and territorial integrity of the several Balkan States should be entered into.*

XII. *The Turkish portions of the present Ottoman Empire should be assured a secure sovereignty, but the other nationalities which are now under Turkish rule should be assured an undoubted security of life and an absolutely unmolested opportunity of autonomous development, and the Dardanelles should be permanently opened as a free passage to the ships and commerce of all nations under international guarantees.*

XIII. *An independent Polish State should be erected which should include the territories inhabited by indisputably Polish populations, which should be assured a free and secure access to the sea, and whose political and economic independence and territorial integrity should be guaranteed by international covenant.*

XIV. *A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small states alike.*

We have spoken now, surely, in terms too concrete to admit of any further doubt or question. An evident principle runs through the whole program I have outlined. It is the principle of justice to all peoples and nationalities, and their right to live on equal terms of liberty and safety with one another, whether they be strong or weak. Unless this principle be made its foundation no part of the structure of international justice can stand. The people of the United States could act upon no other principle; and to the vindication of this principle they are ready to devote their lives, their honor, and everything that they possess. The moral climax of this, the culminating and final war for human liberty, has come, and they are ready to put their own strength, their own highest purpose, their own integrity and devotion to the test.

On February 11, 1918, the President of the United States, in addressing a joint session of Congress, in answer to Germany and Austria, said:

It is gratifying to have our desire so promptly realized that all exchanges of views on this great matter should be made in the hearing of all the world.

And he said:

We are indomitable in our power of independent action and can in no circumstances consent to live in a world governed by intrigue and force. We believe that our own desire for a new international order under which reason and justice and the common interests of mankind shall prevail is the desire of enlightened men everywhere. Without that new order the world will be without peace, and human life will lack tolerable conditions of existence and development. Having set our hand to the task of achieving it, we shall not turn back.

I have spoken thus only that the whole world may know the true spirit of America—that men everywhere may know that our passion for justice and for self-government is no mere passion of words, but a passion which once set in action, must be satisfied. The power of the United States is a menace to no nation or people. It will never be used in aggression or for the aggrandizement of any selfish interest of our own. It springs out of freedom and is for the service of freedom.

At Mount Vernon, on July 4, 1918, the President said:

This, then, is our conception of the great struggle in which we are engaged. The plot is written plain upon every scene and every act of the supreme tragedy:

On the one hand stand the peoples of the world—not only the peoples actually engaged, but many others also who suffer under mastery, but can not act; peoples of many races and in every part of the world—the people of stricken Russia still, among the rest, though they are for the moment unorganized and helpless.

Opposed to them, masters of many armies, stand an isolated, friendless group of Governments, who speak no common purpose, but only selfish ambitions of their own, by which none can profit but themselves, and whose peoples are fuel in their hands; Governments which fear their people and yet are for the time their sovereign lords, making their choice for them and disposing of their lives and fortunes as they will, as well as of the lives and of every people who fall under their power—Governments clothed with the strange trappings and the primal authority of an age altogether alien and hostile to our own. The past and the present are in deadly grapple, and the peoples of the world are being done to death between them.

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace.

I invite the attention of Senators to this language, because these are the addresses which were before the associated and allied Governments when they entered into this agreement which closed the war with Germany, upon which the terms of surrender by Germany were provided.

The President said:

1. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world; or if it can not be presently destroyed, at least its reduction to virtual impotence.

2. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned and not upon the basis of the material interest or advantage of any other nation or people, which may desire a different settlement for the sake of its own ulterior influence or mastery.

Mr. REED. What is the Senator reading from?

Mr. OWEN. I am reading from the address of the President of the United States on the Fourth of July, 1918, at Mount Vernon, which was made a basis upon which Germany surrendered, and upon which the German people have a right to stand; upon which the allied peoples have a right to stand; upon which the people of the whole world have a right to stand; upon which the people of Egypt, who went into this war and shed their blood on the side of liberty, have a right to stand; upon which the people of India, who sent 2,000,000 troops to this war, have a right to stand. They shed their blood and treasure on the battle fields on the side of the Entente Allies, and this contract of November 5, 1918, must not be overlooked or forgotten or neglected in the future arrangements of governments on earth. The President said further:

III. The consent of all nations to be governed in their conduct toward each other by the same principles of honor and of respect for the common law of civilized society that govern individual citizens of all modern States in their relations to one another; to the end that all promises and covenants may be sacredly observed, no private plots or conspiracies hatched, no selfish injuries wrought with impunity, and a mutual trust be established upon the handsome foundation of a mutual respect for right.

IV. The establishment of an organization of peace which shall make certain that the combined power of free nations will check every invasion of right and serve to make peace and justice the more secure by affording a definite tribunal of opinion to which all must submit and by which every international readjustment that can not be amicably agreed upon by the peoples directly concerned shall be sanctioned.

"These great objects," continued President Wilson, "can be put into a single sentence: What we seek is the reign of law, based upon the consent of the governed, and sustained by the organized opinion of mankind."

Mr. President, on September 27, 1918, further setting forth the principles which were accepted by the Entente Allies on November 5, 1918, as set forth by the Secretary of State, the

President used these words, of profound significance, not to be underestimated, not to be passed by:

We accept the issues of the war as facts, not as any group of men here or elsewhere has defined them, and we can accept no outcome which does not squarely meet and settle them. Those issues are these: Shall the military power of any nation or group of nations be suffered to determine the fortunes of peoples over whom they have no right to rule except the right of force?

Shall strong nations be free to wrong weak nations and make them subject to their purpose and interest?

Shall peoples be ruled and dominated, even in their own internal affairs, by arbitrary and irresponsible force or by their own will and choice?

Shall there be a common standard of right and privilege for all peoples and nations, or shall the strong do as they will and the weak suffer without redress?

Shall the assertion of right be haphazard and by casual alliance, or shall there be a common concert to oblige the observance of common rights?

No man, no group of men, chose these to be the issues of the struggle. They are the issues of it; and they must be settled—by no arrangement or compromise or adjustment of interests, but definitely and once for all and with a full and unequivocal acceptance of the principle that the interest of the weak is as sacred as the interest of the strongest.

Mr. President, the Entente Allies, desiring to find their peace on the battle field, agreed to these principles.

Mr. McCUMBER. Mr. President—

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I yield to the Senator from North Dakota.

Mr. McCUMBER. I want to ask the Senator a question so that I may get definitely his view, and it would help me to understand his argument. I will simply preface it by saying that I am very much in agreement with the Senator upon the rights of the nations that are capable, at least, of self-government to govern themselves.

Mr. OWEN. I will say to the Senator that I draw a line between those who are incompetent and those who are competent; but even the rights of the incompetent are a sacred trust to be exercised in the interest of the people themselves as the covenant declares in arranging for mandatories.

Mr. McCUMBER. What I want to put to the Senator is this: Does the Senator contend that the American people, for instance, understood, from the acceptance of the 14 points which the Senator has enumerated, that when we came to the peace table the question of the right of the Philippines to self-government might come before that conference, or that in the case of Great Britain the right of India or of Egypt to put in their claim for self-government was understood by Great Britain to be one of the things that might be discussed?

Mr. OWEN. No; the principals alone met at the peace table, but they were under the binding force of the agreement to respect the rights of all subject peoples.

Mr. McCUMBER. Or that France understood, when they accepted these 14 points as the basis of a peace settlement, that Morocco or any of her South African possessions might put in their claim for self-government and have those things decided by the peace conference?

Mr. OWEN. No. When we came to the peace conference it was necessary, first, to set up a mechanism by which to carry out the principles that were agreed upon. It was impossible at that time to deal with questions such as I am now discussing. When the peace conference was brought together, it was for the purpose of settling the terms of peace definitely with Germany, with Austria, with Bulgaria, and with Turkey. These adjustments were so complicated that it was entirely inexpedient to go into these other questions. I am merely pointing out that the nations agreed to certain principles as the basis of the treaty with Germany, and have now provided a mechanism in the covenant of the league by which those principles can be carried out, and that the covenant itself ought to be interpreted in the light of the agreement of November 5, 1918—that is all.

Mr. McCUMBER. I think I understand the Senator's position. His position clearly is that those matters should not be settled at the peace conference—

Mr. OWEN. No; they could not be settled at the peace conference. It was not anticipated that they should be settled by the peace conference. It was impossible to settle them at the peace conference. The peace conference at that time was face to face with difficulties that were almost beyond the power of flesh and blood to settle, and it took them a long time, and a great many expert men, to try to work out the complicated settlement now before us in the German treaty. The amazing thing is that they worked it out as well as they did. I do not altogether approve of the treaty with Germany, but, taking it as a whole, it is the best that could be done, and I am content to take the work which was done by the representatives of the Entente Allies and of the belligerent powers at Paris, and make

the most of it. If it be found defective hereafter, I should expect the powers of the world to make the necessary corrections.

Now, Mr. President, of course I am in entire accord with what the Senator from North Dakota said with regard to the different classes of people. Take the people of the Congo, who are absolutely unenlightened, who are uneducated. They are not qualified to safeguard their own lives and their own self-government, but nevertheless the time will come that, even in the Congo, those people can be educated and brought to a point where they may exercise the right of self-government, and the right of self-government inheres in all people whenever they are in a position by education to exercise it. The reason why there are mandatories is because of the backward character of so many people, their lack of education, their lack of understanding of the art of government—and government is an art. It is more than an art. There is such a thing as the science of government, and it was the defects of the structure of government, of the science of government in Europe, that brought on this war, through the rule of the few and the denial of the right of the many to self-government.

The abuses of the poor people of the Congo under Leopold, where great cruelty was practiced on them for commercial advantages, caused an international investigation and correction of the abuses. The Congo is a precedent justifying the right of the people of the world to demand justice for weak and oppressed people anywhere.

Abolition of slavery in the United States is another wonderful precedent.

The President further said, in speaking of this matter:

And with a full and unequivocal acceptance of the principle that the interest of the weak is as sacred as the interest of the strongest.

This is what we mean when we speak of a permanent peace, if we speak sincerely, intelligently, and with a real knowledge and comprehension of the matter we deal with.

If it be in deed and in truth the common objects of the Governments associated against Germany and of the nations whom they govern, as I believe it to be, to achieve by the coming settlements a secure and lasting peace, it will be necessary that all who sit down at the peace table shall come ready and willing to pay the price, the only price, that will procure it; and ready and willing also to create in some virile fashion the only instrumentality by which it can be made certain that the agreements of the peace will be honored and fulfilled.

Mr. President, in my opinion the covenant of the league provides the mechanism by which this can be accomplished.

The President said—

That price is impartial justice in every item of the settlement—

And that applies to the people of Germany, Austria, Bulgaria, and Turkey as well as to others. They have a right, too, to ask that the price that they pay—and they were required to pay a price and they ought to be required to pay a price; they ought to be punished for what they did—should be limited by justice. There is a limit to which the people may be punished in justice for the faults of their leadership or even for their own faults.

The President said:

That price is impartial justice in every item of the settlement, no matter whose interest is crossed; and not only impartial justice but also the satisfaction of the several peoples whose fortunes are dealt with. That indispensable instrumentality is a league of nations formed under covenants that will be efficacious.

But these general terms do not disclose the whole matter. Some details are needed to make them sound less like a thesis and more like a practical program. These, then, are some of the particulars, and I state them with the greater confidence because I can state them authoritatively as representing this Government's interpretation of its own duty with regard to peace:

First. The impartial justice meted out must involve no discrimination between those to whom we wish to be just and those to whom we do not wish to be just. It must be a justice which plays no favorites and knows no standard but the equal rights of the several peoples concerned.

Second. No special or separate interest of any single nation or group of nations can be made the basis of any part of the settlement which is not consistent with the common interest of all.

Third. There can be no league or alliances or special covenants and understandings within the general and common family of the league of nations.

Fourth, and more specifically, there can be no special, selfish economic combinations within the league and no employment of any form of economic boycott or exclusion except as the power of economic penalty by exclusion from the markets of the world may be vested in the league of nations itself as a means of discipline and control.

Fifth. All international agreements and treaties of every kind must be made known in their entirety to the rest of the world.

*** It is now plain that they are issues which no man can prevent unless it be willfully. I am bound to fight for them and happy to fight for them, as time and circumstances have revealed them to me and to all the world. Our enthusiasm for them grows more and more irresistible as they stand out in more and more vivid and unmistakable outline.

And the forces that fight for them draw into closer and closer array, organizing their millions into more and more unconquerable might as they become more and more distinct to the thought and purpose of the peoples engaged. It is the peculiarity of this Great War that while statesmen have seemed to cast about for definitions of their purpose

and have sometimes seemed to shift their ground and their point of view, the thought of the mass of men, whom statesmen are supposed to instruct and lead, has grown more and more unclouded, more and more certain of what it is that they are fighting for. National purposes have fallen more and more into the background and the common purpose of enlightened mankind has taken their place. The counsels of plain men have become on all hands more simple and straightforward and more unified than the counsels of sophisticated men of affairs, who still retain the impression that they are playing a game of power and high stakes. That is why I have said that this is a people's war, not a statesmen's. Statesmen must follow the clarified common thought or be broken.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. OWEN. I yield.

Mr. GRONNA. I am very much interested in the Senator's analysis of the treaty and the covenant. He has read from several speeches of the President, among them the one made on January 8, 1918, including the 14 points. As I understand the Senator, it is his opinion that the so-called 14 points are not included in the covenant or in the treaty?

Mr. OWEN. The Senator is mistaken.

Mr. GRONNA. Then I misunderstood the Senator. My colleague [Mr. McCUMBER] asked a question, to which the Senator from Oklahoma made a reply, of which I can not give the exact language, but in substance it was that it was not practical for the peace conference—

Mr. OWEN. That was one feature of it only. That was the question of adjusting the rights of all subject peoples by the conference at Paris.

It was impossible to do that. They did deal with the subject peoples of the Teutonic Governments, but not with their own subject people. It was impossible to do that at Paris because the principals were then engaged in settling the war itself with Germany and, as principals, laying down the terms with the German Government. They recognized the principles I am describing in dealing with the subject peoples of Germany of necessity. The question of adjusting their relations as principals with their own subject peoples afterwards, in the light of what they agreed to during the war, is another question. The covenant of the league provides the mechanism.

Mr. GRONNA. The Senator, then, as I understand him, believes that these 14 points—

Mr. OWEN. I am only emphasizing one point, and that point is the right of liberty to men everywhere on earth.

Mr. GRONNA. That includes a great many.

Mr. OWEN. Yes; it does.

Mr. GRONNA. That would include all the 14 principles enunciated by the President.

Mr. OWEN. They have some bearing on it.

Mr. GRONNA. Is it the Senator's opinion that these addresses of the President and the 14 points ipso facto become a part of the treaty, and that the league of nations and the council must deal with it in accordance with the principles as they were laid down by the President?

Mr. OWEN. My opinion is that it constitutes an agreement on the part of the Governments of the Entente Allies to carry out the doctrine of liberty and self-government throughout the world. That is the point I am making, and that is the only point I am making, and I want to confine myself to that point.

Mr. GRONNA. The Senator has read considerably from the addresses made by the President.

Mr. OWEN. It all goes to the one point.

Mr. GRONNA. I was very anxious to know if we are to understand that these principles are to be recognized by the assembly or by the council in dealing with the peoples of the different nations of the earth, if the treaty becomes effective.

Mr. OWEN. I think the principle of freedom has been clearly set up as the issue of this war—freedom for all people to govern themselves where they have sufficient education and knowledge of government to be able to accomplish it and that the Entente Allies are fully committed to the principle.

Mr. GRONNA. I believe, as one Member of this body, I can name at least one principle which has not been made clear in the treaty, according to the 14 points, and that is the principle of the freedom of the seas. We must deal with these questions in a practical way.

Mr. OWEN. I am dealing with one question at a time, if the Senator will permit me, and I should like to confine myself to that question.

Mr. GRONNA. Of course, I shall not press the inquiry.

Mr. WADSWORTH. Mr. President—

Mr. OWEN. I yield to the Senator from New York.

Mr. WADSWORTH. Will the Senator be willing to read again the words of the President which he read but a moment ago and which, as I recollect it, declared that national purposes

were being submerged or were on the decline, or something to that effect? He had just finished reading it when he was interrupted by the Senator from North Dakota [Mr. GRONNA].

Mr. OWEN. The President was criticizing the attitude of individuals in charge of governments who, under the idea that they were serving national interests, were ignoring the principles of liberty. This is what he said:

It is the peculiarity of this Great War that while statesmen have seemed to cast about for definitions of their purpose and have sometimes seemed to shift their ground and their point of view, the thought of the mass of men, whom statesmen are supposed to instruct and lead, has grown more and more unclouded, more and more certain of what it is that they are fighting for. National purposes have fallen more and more into the background, and the common purpose of enlightened mankind has taken their place.

Mr. WADSWORTH rose.

Mr. OWEN. If the Senator will just wait a moment, I desire to state that what the President is pointing out is that the mass of men in this war were fighting for liberty and for the overthrow of arbitrary force. The Senator from New York does not intend to take issue with that, I am sure.

Mr. WADSWORTH. No; the Senator from New York does not intend to take issue with that in particular, but he does ask the permission of the Senator from Oklahoma to suggest that the events since November 11, 1918, do not bear out the assertion of the President that national purposes are going further and further into the background. I venture to state that there has never been a period in the history of the whole world when nationalism was more vigorous than it is at this time.

Mr. OWEN. I think that is true with regard to every nation in the world; that is the very thing that the President was pointing out—the right of individual nations and individual communities to govern themselves, government by “the consent of the governed”—and when you have government by the consent of the governed, of course you have what would be called in that sense nationalism, for it is the right of self-control, of self-direction, and self-government of each nation.

Mr. POINDEXTER and Mr. THOMAS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield; and if so, to whom?

Mr. OWEN. I yield to the Senator from Washington.

Mr. POINDEXTER. I desire to make an inquiry as to whether or not the principle to which the Senator from Oklahoma is confining his remarks has been applied in a practical way in the peace treaty, not only in the German peace treaty but as reflected by the attitude of the American delegation in regard to the Austrian treaty? I should like to ask the Senator whether he thinks it is carrying out this principle to give practical control—economic and industrial control, at least—of Shantung to Japan, or to place the Italian population of the Adriatic and Dalmatian coast under the control—

Mr. OWEN. I will say to the Senator that I do not want him to make a speech in the form of a question. I will answer the purport of the question he is asking.

Mr. POINDEXTER. Will the Senator allow me to complete the question?

Mr. OWEN. Certainly.

Mr. POINDEXTER. Is it in conformity with the principle referred to to give the Slavic nation control of the Italian population of Fiume, or to give Bulgaria, the traditional enemy of the Greek people, control of the Greeks of Thrace? There are other similar instances that might be mentioned.

Mr. OWEN. The Senator from Washington is making statements of fact in which I do not concur; and he is making a statement of principle in which I do concur; that is to say, I am not in favor of giving control of any people to any other people or handing them around as chattels any more than is the Senator. We are in perfect accord about that. It is a question of whether or not the facts are as they are supposed to be.

Mr. POINDEXTER. Will the Senator allow me to ask him another question?

Mr. OWEN. Yes; I yield.

Mr. POINDEXTER. The Senator does not deny, as a fact, that the peace treaty gives control of Shantung to Japan, does he?

Mr. OWEN. I do, most emphatically.

Mr. POINDEXTER. Does the Senator deny the fact—

Mr. OWEN. Just a moment, if the Senator please, because I am not going to be diverted from my argument by these side issues any further than to answer a question, and I will dispose of that, if the Senator will permit me.

Mr. POINDEXTER. I should like to complete the question, and then I will cease, and the Senator can answer it altogether.

Mr. OWEN. I will yield further to the Senator.

Mr. POINDEXTER. I will ask the Senator if he denies the fact that the President or the peace delegation, if we choose to so designate it, representing the United States, used the influence of that delegation to take away from the control of the Italians the city of Fiume and turn it over to some other control? Furthermore, if the peace delegation—

Mr. OWEN. Just one question at a time, if the Senator please. He comes to his “furthermore,” but I want him to stop and ask one question at a time, so that I may answer it.

Mr. POINDEXTER. But this is part of the same point.

Mr. OWEN. I will yield further to the Senator.

Mr. POINDEXTER. Whether it is not a fact that the American peace delegation, which was responsible for the principle of which the Senator is speaking, did not advocate turning over Thrace and its Greek population to Bulgaria?

Mr. OWEN. The Senator from Washington has asked me five questions in rapid succession—one with regard to the Austrian treaty, another regarding Shantung, the Dalmatian coast, Bulgaria, and Thrace; and one with regard to Fiume, which he asserts was under the control of the Italian people. My answer to that is that Fiume was not under the control of the Italian Government, although there was a large Italian population there; and that Fiume, being a seaport from which the hinterland occupied by the Jugo-Slavs must find access to the sea, it was thought desirable to preserve that port for that purpose, since it would make but little difference one way or the other what the local management of the city was, for, after all, the city's own inhabitants would control the city.

The Dalmatian coast does not belong to Italy. Shantung will be soon under the sovereignty of the Chinese.

Mr. President, I am not now going to discuss the question of Thrace, except that I favor the right of the Greek people to govern themselves. With the permission of my colleague, I will resume my argument. I have called attention to these addresses by the President because they relate directly to the agreement entered into by the Entente Allies referred to in the Lansing communication to the German Government. Now, I again call the attention of the Senate to what the Entente Allied Governments agreed to do. The Entente Allied Governments agreed to this—these are the words used by the Secretary of State in addressing Hans Sulzer, the minister of Switzerland, in charge of German interests, for the information of the German Government:

“The allied Governments have given careful consideration to the correspondence which has passed between the President of the United States and the German Government. Subject to the qualifications which follow, they declare their willingness to make peace with the Government of Germany on the terms of peace laid down in the President's address to Congress of January, 1918, and the principles of settlement enunciated in his subsequent addresses.”

Mr. President, this is no new doctrine on the part of the Entente Allies; it is not something new. Both Lloyd-George and Clemenceau had expressed the same principles long before. I wish to call the attention of the Senate to what Lloyd-George said on June 29, 1917, and on July 20, 1917. On June 29, 1917, Premier Lloyd-George, after extensive consultation, journeyed to Glasgow to make a speech setting forth the Government's position, and he said:

In my judgment, this war will come to an end when the Allied Powers have reached the aims which they set out to attain when they accepted the challenge thrown down by Germany to civilization.

These terms were set out recently by President Wilson with his unrivaled gift of succinct and trenchant speech. As soon as these objectives are reached, and guaranteed, this war will come to an end. But if it comes to an end a single hour before, it will be the greatest disaster that has ever befallen mankind.

Europe is again drenched with blood of its bravest and best, but do not forget these are the great succession of hallowed causes. They are the stations of the cross on the road to the emancipation of mankind. Let us endure as our fathers did. Every birth is an agony, and the new world is born out of the agony of the old world. My appeal to the people of this country, and, if my appeal can reach beyond it, is this—that we should continue to fight for the great goal of international right and international justice, so that never again shall brute force sit on the throne of justice, nor barbaric strength wield the scepter of right.

On July 20, 1917, the premier, Lloyd-George, in the course of a lengthy speech in Parliament, said:

Germany is not going to drive Great Britain out of the fight until liberty has been established throughout the world.

Mr. President, the French Government was equally idealistic. On June 4, 1917, the Chamber of Deputies, by a vote of 453 to 55, declared:

Repudiating all idea of conquest of foreign populations, it (the Government) expects that the efforts of the armies of the Republic and of the Allies shall make it possible to obtain lasting guaranties of peace and independence for all peoples, great and small, in an organization of the Society of Nations (Confederation of the World) to be formed at once.

So that the principles laid down by the President of the United States were not new, and they were not at variance with the opinions which had been previously set forth by the authorities of France and of Great Britain. They are the matured opinions of the great American people.

I wish to call attention to what Lord Asquith, the British Liberal leader, said on December 20, 1917, in the House of Commons:

We ought to make it increasingly clear by every possible means that the only ends we are fighting for are liberty and justice, for the whole world, through a confederation of great and small States, all to possess equal rights. A league of nations is the ideal for which we are fighting, and we shall continue fighting for it with a clear conscience, clean hands, and an unwavering heart.

The British Labor Party on January 16, 1918, expressly voiced a demand for free peoples everywhere and the formation of a league of nations, specifying, too, the needed territorial readjustments in Europe.

In France the federation of labor at its national conference adopted by an almost unanimous vote the war aims set forth by President Wilson, and stated that the purpose of the Russian revolutionaries at that time was virtually the same. The executive officers of the French Federation of Labor were instructed to do their utmost to induce the French Government to clearly enunciate these aims.

Mr. President, long before these events the Democratic Party had held a convention in 1916, and they declared practically for a league of nations, and laid down the very principles which free men everywhere on earth now believe in and insist on, as follows:

INTERNATIONAL RELATIONS.

The Democratic administration has throughout the present war scrupulously and successfully held to the old paths of neutrality and to the peaceful pursuits of the legitimate objects of our national life which statesmen of all parties and creeds have prescribed for themselves in America since the beginning of our history. But the circumstances of the last two years have revealed necessities of international action which no former generation can have foreseen. We hold that it is the duty of the United States to use its power, not only to make itself safe at home but also to make secure its just interests throughout the world, and, both for this end and in the interest of humanity, to assist the world in securing settled peace and justice. We believe that every people has the right to choose the sovereignty under which it shall live; that the small States of the world have a right to enjoy from other nations the same respect for their sovereignty and for their territorial integrity that great and powerful nations expect and insist upon; and that the world has a right to be free from every disturbance of its peace that has its origin in aggression or disregard of the rights of peoples and nations; and we believe that the time has come when it is the duty of the United States to join with the other nations of the world in any feasible association that will effectively serve those principles, to maintain inviolate the complete security of the highway of the seas for the common and unhindered use of all nations.

The present administration has consistently sought to act upon and realize in its conduct of the foreign affairs of the Nation the principle that should be the object of any association of the nations formed to secure the peace of the world and the maintenance of national and individual rights. It has followed the highest American traditions. It has preferred respect for the fundamental rights of smaller States even to property interests, and has secured the friendship of the people of such States for the United States by refusing to make a mere material interest an excuse for the assertion of our superior power against the dignity of their sovereign independence.

PAN AMERICAN CONCORD.

We recognize now, as we have always recognized, a definite and common interest between the United States and the other peoples and Republics of the Western Hemisphere in all matters of national independence and free political development. We favor the establishment and maintenance of the closest relations of amity and mutual helpfulness between the United States and the other Republics of the American continent for the support of peace and the promotion of a common prosperity. To that end we favor all measures which may be necessary to facilitate intimate intercourse and promote commerce between the United States and our neighbors to the south, and such international understandings as may be practicable and suitable to accomplish these ends.

The naval appropriation act of August 29, 1916, before President Wilson made his statement, expressly declared that the naval program would be set aside in the event of universal disarmament. Without taking the time to read it, I will, with the permission of the Senate, insert the extract from that act in the RECORD.

The PRESIDING OFFICER. Without objection, permission is granted.

The extract referred to is as follows:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established, with the cooperation of the United States of America, an international tribunal or tribunals competent to secure peaceful determinations of all international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditures as may be inconsistent with the engagements made in the establishment of such tribunal or tribunals may be suspended, when so ordered by the President of the United States.

Mr. OWEN. There the United States Congress provided that if arrangements were made for disarmament, in that contingency, the program of naval expansion might be set aside, showing the humane and enlightened view of the people of the

United States. In an address to Congress on January 22, 1917, 12 days after the sending to us of the joint note by the allied coalition Governments, President Wilson said:

No peace can last, or ought to last, which does not recognize and accept the principle that Governments derive all their just powers from the consent of the governed. . . . These are American principles, American policies. We could stand for no others. And they are also the principles and policies of forward looking men and women everywhere, of every modern nation, of every enlightened community. They are the principles of mankind and must prevail.

Then when the United States announced that we recognized the existence of the state of war which the Imperial German Government was waging against us, the President announced:

The world must be made safe for democracy. Its peace must be planted upon the tested foundation of liberty.

And he added:

But the right is more precious than peace, and we shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free.

When the armistice was declared, President Wilson, on the morning of November 11, 1918, in a message to the American people, said:

My fellow countrymen: The armistice was signed this morning. Everything for which America fought has been accomplished. It will now be our fortunate duty to assist by example, by sober, friendly counsel, and by material aid in the establishment of democracy throughout the world.

And the premier of the British Empire, Lloyd-George, cabled his congratulations to President Wilson, as follows:

My heartfelt thanks for your kindly message. I am certain that the ideals of our two countries regarding international reconstruction are fundamentally the same. I feel sure that at the peace conference we shall be able to cooperate fruitfully to promote the reign of peace with liberty and true democracy throughout the world.

President Wilson, at the session of the plenary council of the peace conference of January 25, 1919, at which it was voted that a league of nations should be established and that it should be provided for in the treaty with Germany, said:

We have assembled for two purposes, to make the present settlements which have been rendered necessary by this war, and also to secure the peace of the world. . . . The league of nations seems to be necessary for both of these purposes. . . . We would not dare abate a single item of the program which constitutes instructions; we would not dare to compromise upon any matter as the champions of this thing—this peace of the world, this attitude of justice, this principle that we are masters of no peoples but are here to see that every people in the world shall choose its own masters and govern its own destinies not as we wish, but as they wish.

We are to see, in short, that the very foundations of this war are swept away. Those foundations were the private choice of a small coterie of civil rulers and military staffs. Those foundations were the aggressions of great powers upon small. Those foundations were the holding together of empires of unwilling subjects by the duress of arms. Those foundations were the powers of small bodies of men to wield their will and use mankind as pawns in a game.

And nothing less than the emancipation of the world from these things will accomplish peace.

You can see that the representatives of the United States are, therefore, never put to the embarrassment of choosing a way of expediency, because they have had laid down for them the unalterable lines of principles.

And, thank God, these lines have been accepted as the lines of settlement by all of the high-minded men who have had to do with the beginnings of this business.

We stand in a peculiar case. As I go about the streets here I see everywhere the American uniform. Those men came into the war after we had uttered our purpose; they came as crusaders not merely to win a war, but to win a cause; and I am responsible to them, for it fell to me to formulate the purpose for which I asked them to fight; and I, like them, must be a crusader for these things, whatever it costs and whatever it may be necessary to do in honor to accomplish the objects for which they have fought.

The next speaker in the plenary council was Premier Lloyd-George, who said:

I should not have intervened at all, but it was necessary for me to state how emphatically the people of the British Empire are behind this proposal; and if the leaders of the British Empire have not been able to devote so much time during the past five years as they would have liked to this question the reason is that they were occupied with other questions that were more urgent for the moment.

Now, Mr. President, I want particularly to call the attention of the Senate to article 147 of the German peace treaty, with regard to Egypt, as follows:

Germany declares that she recognizes the protectorate proclaimed over Egypt by Great Britain on December 18, 1914.

And other nations joining in this treaty might appear to be doing the same thing without explanation. I do not feel willing to have Egypt handed over to the British Empire as a chattel or to be in any way responsible for such a wrong. We were not fighting the war for any such purpose; but Great Britain, in all fairness, I think, was justified in taking drastic steps with regard to the government of Egypt at the beginning of this war, because the then Khedive of Egypt was showing an evidence of his attachment to the cause of Turkey and of Germany as

against the Entente Allies, so that it became expedient, from the standpoint of the Government of Great Britain, to set aside the Khedive and appoint his successor by force.

It might be proper to say that in 1882 revolutionary proceedings broke out in Egypt for the purpose of expelling European influences from Egypt. The British fleet, in the protection of its interests and under the claim of protecting law and order, bombarded Alexandria and practically sent armed troops into the Egyptian country, and from that time forward exercised a certain degree of control there, but with the understanding always that the powers which were being exercised were with a view to maintaining the "independence of the Egyptians." Many of the British statesmen have expressed themselves with regard to the purpose of that occupation, none of them more forcibly than Mr. Gladstone in the House of Commons on August 9, 1883, when he said:

The uncertainty there may be in some portion of the public mind has reference to those desires which tend toward the permanent occupation of Egypt and its incorporation in this Empire. This is a consummation to which we are resolutely opposed, and which we will have nothing to do with bringing about. We are against this doctrine of annexation; we are against everything that resembles or approaches it; and we are against all language that tends to bring about its expectation. We are against it on the ground of the interests of England; we are against it on the ground of our duty to Egypt; we are against it on the ground of the specific and solemn manner and under the most critical circumstances, pledges which have earned for us the confidence of Europe at large during the course of difficult and delicate operations, and which, if one pledge can be more solemn and sacred than another, special sacredness in this case binds us to observe. We are also sensible that occupation prolonged beyond a certain point may tend to annexation, and consequently it is our object to take the greatest care that the occupation does not gradually take a permanent character. * * * We can not name a day, and do not undertake to name a day, for our final withdrawal, but no effort shall be wanting on our part to bring about that withdrawal as early as possible. The conditions which will enable us to withdraw are those described by Lord Granville—restored order in the state of the country and the organization of the proper means for the maintenance of the Khedive's authority. * * * The right honorable gentleman, Sir S. Northcote, has treated us as if we intended to stay in Egypt until we had brought about institutions which would do credit to Utopia. We have no such views. * * * In popular language we mean to give Egypt a fair start, and if we secure it order, supply a civil and military force adequate to the maintenance of order, and with a man on the throne in whose benevolence and justice we have confidence, with institutions for the administration of justice under enlightened supervision and in fairly competent hands—if we have made a reasonable beginning toward legislative institutions into which is incorporated some seed of freedom our duty may be supposed to be complete.

The Anglo-French agreement of April 8, 1904, provides:

The Government of His Majesty declares that it has no intention of altering the political status of Egypt.

Lord Cromer's report, March 3, 1907, stated:

There are insuperable objections to the assumption of a British protectorate over Egypt. It would involve a change in the political status of the country. Now, in article I of the Anglo-French agreement of the 8th of April, 1904, the British Government have explicitly declared that they have no intention of altering the political status of Egypt.

In the protocol signed by Lord Dufferin, together with the authorized representatives of the five other great powers, on the 25th of June, 1882, it was agreed:

The Government represented by the undersigned engage themselves in any arrangement which may be made in consequence of their concerted action for the regulation of the affairs of Egypt, not to seek any territorial advantage nor any concession of any exclusive privilege, nor any commercial advantage for their subjects other than those which any other nation can equally obtain.

The authorities up to the war 1914 were unbroken in maintaining this position. Great Britain is in no position with honor to annex Egyptian territory or powers of government.

Mr. President, it is now 37 years that the British Empire has remained in possession of the Government of Egypt. I am told that the amount paid to the Khedive for his valuable services as overlord there is \$900,000 a year, which would seem to be a tax on the Egyptian people for the purpose of maintaining a royal state, and of which I do not approve if the Egyptian people are discontented with it. They have long suffered a blackmail tax to Turkey of an annual payment of \$3,500,000. I think the power rests in the Egyptian people to run their own affairs and to manage their own business without being taxed by the Turks or the Khedive appointed by Great Britain.

I want to call the attention of the Senate to article 148, which says that—

In no case can Germany avail herself of these instruments—

Referring to the contracts with Germany—

and she undertakes not to intervene in any way in negotiations relating to Egypt which may take place between Great Britain and the other powers.

It is obvious that Great Britain anticipates and the treaty contemplates negotiations between the Government of Great Britain and the other powers with regard to Egypt. The liberty of the Egyptians under the agreement which I have referred to and under the principles which have been laid down

is a matter of immediate and urgent importance to the Egyptians and the peace of the world and should be taken up for negotiations without the embarrassment of any self-serving protectorate set up by the British Government.

Many British statesmen have from time to time since 1882 set forth their views with regard to the purposes of the British Government with relation to Egypt, which have been presented to the Committee on Foreign Relations.

Now, Mr. President, I want to print in the RECORD the action of the English Government in making a proclamation appointing a Khedive for Egypt. I do not wish to take the time of the Senate to read it. It is a proclamation putting into force the appointment of a new Khedive for Egypt on December 18, 1914.

THE PRESIDING OFFICER. Without objection, it will be so ordered.

The proclamation referred to is as follows:

In view of the action of His Highness Abbas Hihni Pasha, lately Khedive of Egypt, who has adhered to the King's enemies, His Majesty's Government have seen fit to depose him from the khedivate, and that high dignity has been offered, with the title of Sultan of Egypt, to His Highness Prince Hussein Kamel Pasha, eldest living prince of the family of Mehemet Ali, and has been accepted by him.

The King has been pleased to approve the appointment of Prince Hussein to be an honorary knight grand cross of the Order of the Bath on the occasion of his accession to the suzerainty.

The King has been pleased to give directions for the following appointment to the Order of St. Michael and St. George.

His Excellency Hussein Rushdi Pasha, president of the council of ministers of His Highness the Sultan of Egypt, to be an honorary knight grand cross of the order.

The following notice is issued by the foreign office:

His Majesty's Government having been informed that the Government of the French Republic have recognized the British protectorate over Egypt, His Britannic Majesty's principal secretary of state for foreign affairs hereby gives notice that His Majesty's Government adhere to the Franco-Moorish treaty of March 30, 1912.

The foreign office communicates the following letter addressed to Prince Hussein by the acting high commissioner in Egypt:

CAIRO, December 19, 1914.

"YOUR HIGHNESS: I am instructed by His Britannic Majesty's principal secretary of state for foreign affairs to bring to the notice of Your Highness the circumstances preceding the outbreak of war between His Britannic Majesty and the Sultan of Turkey and the changes which that war entails in the status of Egypt.

"In the Ottoman cabinet there were two parties: On one side was a moderate party, mindful of the sympathy extended by Great Britain to every effort toward reform in Turkey, who recognized that in the war in which His Majesty was already engaged no Turkish interests were concerned, and welcomed the assurances of His Majesty and his allies that neither in Egypt nor elsewhere would the war be used as a pretext for any action injurious to Ottoman interests. On the other side, a band of unscrupulous military adventurers looked to find in a war of aggression waged in concert with His Majesty's enemies means of retrieving the disasters—military, financial, and economic—into which they had already plunged their country. Hoping to the last that wiser counsels must prevail, His Majesty and his allies, in spite of repeated violations of their rights, abstained from retaliatory action until compelled thereto by the crossing of the Egyptian frontier by armed bands and by the unprovoked attacks on Russian open ports by Turkish naval forces under German officers.

"His Majesty's Government are in possession of ample evidence that ever since the outbreak of war with Germany His Highness Abbas Hihni Pasha, late Khedive of Egypt, has definitely thrown his lot with His Majesty's enemies.

"From the facts above set out it results that the rights over the Egyptian executive of the Sultan or of the late Khedive are forfeited to His Majesty.

"His Majesty's Government have already, through the general officer commanding His Majesty's forces in Egypt, accepted exclusive responsibility for the defense of Egypt during the present war. It remains to lay down the form of the future government of the country freed, as I have stated, from all rights of suzerainty or other rights heretofore claimed by the Ottoman Government.

"Of the rights thus accruing to His Majesty, no less than of those exercised in Egypt during the last 30 years of reform, His Majesty's Government regard themselves as trustees for the inhabitants of Egypt. And His Majesty's Government have decided that Great Britain can best fulfill the responsibilities she has incurred toward Egypt by the formal declaration of a British protectorate and by the government of the country under such protectorate by a prince of the khedival family.

"In these circumstances I am instructed by His Majesty's Government to inform Your Highness that, by reason of your age and experience, you have been chosen as the prince of the family of Mehemet Ali most worthy to occupy the khedival position, with the title and style of the Sultan of Egypt; and in inviting Your Highness to accept the responsibilities of your high office I am to give you the formal assurance that Great Britain accepts the fullest responsibility for the defense of the territories under Your Highness against all aggression whencesoever coming. And His Majesty's Government authorizes me to declare that, after the establishment of the British protectorate now announced, all Egyptian subjects, wherever they may be, will be entitled to receive the protection of His Majesty's Government.

"With Ottoman suzerainty there will disappear the restrictions heretofore placed by Ottoman firmans upon the numbers and organization of Your Highness's army and upon the grant of Your Highness of honorific distinctions.

"As regards foreign relations, His Majesty's Government deem it most consistent with the new responsibilities assumed by Great Britain that the relations between Your Highness' Government and the representatives of foreign powers should be henceforth conducted through His Majesty's representative in Cairo.

"His Majesty's Government have repeatedly placed on record that the system of treaties known as the capitulations, by which Your Highness' Government is bound, are no longer in harmony with the development of the country; but I am expressly authorized to state that in the opinion of His Majesty's Government the revision of these

treaties may most conveniently be postponed until the end of the present war.

"In the field of internal administration I am to remind Your Highness that, in consonance with the traditions of British policy, it has been the aim of His Majesty's Government, while working through and in the closest association with the constituted Egyptian authorities, to secure individual liberty, to promote the spread of education, to further the development of the natural resources of the country, and in such measure as the degree of enlightenment of public opinion may permit to associate the governed in the task of government. Not only is it the intention of His Majesty's Government to remain faithful to such policy, but they are convinced that the clearer definition of Great Britain's position in the country will accelerate progress toward self-government.

"The religious convictions of Egyptian subjects will be scrupulously respected, as are those of His Majesty's own subjects, whatever their creed; nor need I affirm to Your Highness that in declaring Egypt free from any duty of obedience to those who have usurped political power at Constantinople His Majesty's Government are animated by no hostility toward the khalfate. The past history of Egypt shows, indeed, that the loyalty of Egyptian Mahomedans toward the khalfate is independent of any political bonds between Egypt and Constantinople.

"The strengthening and progress of Mahomedan institutions in Egypt is naturally a matter in which His Majesty's Government takes the deepest interest and in which Your Highness will be specially concerned, and, in carrying out such reforms as may be considered necessary Your Highness may count upon the sympathetic support of His Majesty's Government.

"I am to add that His Majesty's Government rely with confidence upon the loyalty, good sense, and self-restraint of Egyptian subjects to facilitate the task of the general officer commanding His Majesty's forces, who is intrusted with the maintenance of internal order and with the prevention of the rendering of aid to the enemy.

"I have, etc.,

"(Sd.) MILNE CREETHAM."

Mr. OWEN. It is for the reason that I do not wish, without some interpretative resolution, to agree to this establishment of a protectorate by Great Britain over Egypt that I propose, at the proper time, to offer an interpretative resolution that will cover it. Because I wish to see the right of self-government provided for the Egyptians, the Irish, the Philippine people, and all people capable of self-government, I have called up these records.

Mr. President, the principles which should govern the world in regard to the exercise of sovereignty must, of course, keep in mind the weakness of certain backward people. In the Kongo, perhaps, will be found an extreme example of uncultured, uncivilized people, with no knowledge of government, no knowledge of how to establish an orderly and peaceful government. The same thing might be said in some parts of the Philippines. Yet there are gradually increasing throughout the world educated men belonging to all nations, and the number of educated people is being expanded everywhere. It will be remembered that the policy which I have been advocating to-day of the right of self-government was recognized by the United States after the Spanish War, when we gladly recognized in Cuba the right of self-government, and Cuba has been governing its own affairs for many years now, peacefully, satisfactorily, and without complaint on the part of the United States or any other nation. With regard to the Philippines, we had the avowed purpose of giving them self-government as rapidly as it could be brought about with safety. One of the things which has interfered with complete self-government for the Philippines has been the question as to whether or not the Philippines would be able to maintain their independence if they were turned free without any protecting power to safeguard them; but with the establishment of a league of nations that fear will disappear and the complete independence of the Philippines can be brought about without any great delay.

The same thing is true with regard to Porto Rico. The United States has shown its good disposition there by giving to the people of Porto Rico citizenship in the United States; but Porto Rico ought to have the right of self-government, and Porto Rico ought not to be subjected to the exploitation of those who desire to use the powers of the United States Government in Porto Rico to their own private advantage in any way.

The same principle applies to Shantung. The Chinese occupy Shantung. They are entitled to self-government. It may not be as good a government as they might have established for them by some other power but it would be self-government. Japan has no purpose of maintaining any sovereignty over Shantung and has no right to do so. The very treaty which is before us itself provides that—

Germany shall hand over to Japan within three months from the coming into force of the present treaty the archives, registers, plans, title deeds, and documents of every kind, wherever they may be, relating to the administration, whether civil, military, financial, judicial, or other, of the territory of Kiaochow.

And Japan has agreed definitely to turn these over to the Government of China, and not to interfere any longer with the sovereignty of China in the government of Shantung.

Mr. REED. Mr. President—

Mr. OWEN. I do not intend to discuss the commercial rights which Japan desires to retain in the Province of Shan-

tung further than to say that if China, in the exercise of sovereignty, becomes discontented with the management of the railroads in Shantung by Japan, China, being the sovereign power, can take up the question of taking over the commercial property upon making a satisfactory liquidation with Japan.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Missouri?

Mr. OWEN. I yield to the Senator.

Mr. REED. The Senator made the statement that Japan had definitely agreed to turn back Shantung to China.

Mr. OWEN. I have made that statement.

Mr. REED. Where is that to be found?

Mr. OWEN. It will be found in the CONGRESSIONAL RECORD in a speech which I made some time ago; and the Senator will excuse me if I do not go into an elaborate discussion of it, because I do not want to be diverted.

Mr. REED. I do not want to divert the Senator. I simply wanted to know whether it was in any official document that is on file.

Mr. OWEN. I answered the Senator.

Mr. REED. If the Senator wants to refer me to his other speech, I will, of course, turn to that.

Mr. OWEN. I do refer the Senator there.

Now, Mr. President, the covenant of the league provides a world forum in article 11, which says:

Any war or threat of war, whether immediately affecting any of the members of the league or not, is hereby declared a matter of concern to the whole league, and the league shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the secretary general shall, on the request of any member of the league, forthwith summon a meeting of the council.

It is also declared to be the friendly right of each member of the league to bring to the attention of the assembly or of the council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

Under this article a forum is provided where any nation deprived of its right of self-government would have a right to be heard. I take it that the Irish people would have a right to come before the council and before the assembly and to urge their case and to show the reasons justifying their right of self-government.

If they are subjected to commercial exploitation, as I understand has been charged, they have a right to bring that question up, so that the peace of the nations should not be disturbed by any excitement over Ireland or by the constant appeals of the Irish to public opinion throughout the world to sustain Ireland against the British Government.

More than that, I think the matter could be brought up as a dispute in the assembly, as a matter affecting the peace of the world, under the agreement entered into by the Entente Allies, as set forth in the declaration of Secretary Lansing on November 5, 1918. If men are denied their liberty and their right of self-government contrary to the purposes for which this war was fought, contrary to the declaration of principles made on the 5th of November, they have a right to bring that question to the assembly, representing the powers of the world, where it may be heard. That is one of the great purposes of establishing the covenant. It is not to give the covenant the power of overlordship. Overlordship or tyranny is impossible under the league.

I remind Senators that any representative sent to the assembly is subject to immediate recall. He has no tenure of office. He is not appointed for 5 years, or 10 years, or 20 years, or 1 year. He goes as the representative of some power, and that power has the right to fix his tenure. He has no salary fixed. He has no continuity of office. He has no basis upon which to carry on personal intrigue, and neither the council nor the assembly has legislative power. Neither has an army or a navy or a treasury, except such as may be afforded it by contributions of the several nations, as long as they approve, and the nations can withdraw when they wish on reasonable notice.

Many have thought that this covenant established a world association too weak in its power to make effective its purposes. But I hold that the purposes will be made effective by world opinion, by the moral force of mankind, when you take the world forum established in conjunction with the various methods by which those things which would tend to war are prevented from reaching war. One door after another is closed against war, by conciliation, by arbitration, by the negotiations of the council, by the advice and opinion and report of the assembly, and by delays. It is true that the report of the assembly can not be enforced. It is true that the report of the assembly is only persuasive at last. If it is carried out by a nation, however, that nation can not be subjected to war; and if a nation refuses to carry it out, the nation refusing to carry it out can not be invaded under article 10. Such a nation may be

subjected to war after three months' notice (art. 12) but not to invasion (art. 10). But at present nations can go to war with each other without having any adequate method of international arbitration, international conciliation, or international settlement of disputes by world opinion. They can go to war now without notice.

The disarmament provided by the covenant of the league, the universal boycott against an outlaw nation (art. 16), and, above all, the pledges of article 10, where every one of the 50 nations of the world agree to respect the territorial integrity of every other nation, where every one agrees to take part in preserving the territorial integrity and existing political independence of other nations, is sufficient to make war practically impossible, because it is incredible that any nation would have the temerity to face the world in arms. Any nation that would do a thing of that sort would become immediately an outlaw nation, subject to world boycott and subject to the armed forces of mankind. The quick fall from power of such a government would be absolutely certain.

Senators say they do not want to bind the United States or join in preserving the territorial integrity of other nations. I say, on the other hand, that I think the wisest and best policy for the United States is to cooperate with other nations in pledging its power to preserve the territorial integrity of other nations, and when it does give that pledge it will suffice to prevent war, not make war. There is no nation in the world that would have the impudence or folly to face the whole world in arms.

The most powerful of all the nations—Germany, Austria, Bulgaria, and Turkey, with their combined power—would not have dared invade Serbia if this rule had been in force. Every prudent, thoughtful man knows that that is the truth. Germany anxiously sought to ascertain from Lord Grey whether or not England would go into the war if Germany should become embroiled in the war with Austria and Serbia. I have always thought it was a fatal error not to have conveyed to the German authorities, in some way that was convincing, the idea that Great Britain would not stand for the invasion of Belgium and France.

We stood for such invasion as neutrals; we talked peace after it happened. We justified ourselves and thought we were doing a fine thing for quite a while, until at last we discovered that our fortunes and our welfare were inexplicably bound with the peace of the world and that we could not at last escape the cataclysm brought about by arbitrary force in invading the peaceful nations of the world.

We have learned the lesson. The world has learned it. The covenant is before us to prevent another World War.

I am in favor of declaring a war of external aggression an international crime of the first magnitude. I am in favor of pledging the power of the United States to forbid it, and to be ready, if necessary, to reduce to subjection any outlaw nation that dares in the future to invade the world.

We have declared that principle in effect by the Monroe doctrine on the Western Hemisphere, and our statement that the United States would regard it as an unfriendly act for any power anywhere in the world to interfere with the rights of the Republics on the Western Hemisphere has been sufficient for a hundred years to protect the Western Hemisphere, except on one occasion—Mexico—when the United States was having a bloody fratricidal strife of 1861 to 1865, the European military powers attempted to set up an empire in Mexico under an Austrian prince. But immediately the war was over the United States served notice on these foreign powers and they withdrew. Maximilian was put before a firing squad, and that ended that controversy.

The United States has never fought a war except for liberty. In 1776 for the liberty of the Colonies. In 1812 for liberty on the high seas. In 1846 for the liberty of Texas. In 1866 for the liberty of the African slaves in America. In 1898 for the liberty of Cuba. In 1917 for the liberty of the world. America demands the fruits of this last Great War.

Mr. President, in every government there are those who divide according to the point of view—the Tories, reactionaries, and conservatives, who favor concentrating power in the hands of the few, and the liberals and progressives, who believe in placing the governing power in the hands of the people. These divisions often defy party lines.

One class of men, the reactionaries or stand-pat element, think favorably of special privilege and in terms of acquisition, while the liberals or progressives think first in terms of human life and think second in terms of property as merely contributory to life.

In all of the Governments of Europe the contest everlastingly goes on, as well as with us.

As a rule, the progressives have faith in the common sense and common honesty of mankind, while the conservatives have little or no faith in either.

But all of the world is now under a profound movement as powerful as the tides toward liberty and justice, and the progress of mankind can not be stopped by any man, any party, or any nation. So far the United States has led the way.

I have faith to believe that the people of the United States will not relinquish the moral leadership which they have gloriously assumed, but that her ideals of justice, liberty, peace, and human happiness may soon, very soon, be established among the sons of men.

THE COVENANT POINTS THE WAY.

I favor the covenant without amendments or destructive reservations, but with interpretations that shall safeguard our rights and prevent the possibility of our views being misinterpreted.

Mr. SHIELDS. Mr. President, the amendment to the proposed treaty with Germany, commonly called the Shantung amendment, now under consideration by the Senate, has not challenged my attention or interested me as have other amendments and the several reservations reported by the Committee on Foreign Relations. This, perhaps, grows out of my opinion that its importance to the American people, compared to those, is inconsiderable.

I am not oblivious to the argument that it involves national honor, which the American people should always cherish and never suffer to be tarnished, nor do I overlook the fact that the practical annexation of the Shantung territory and its 40,000,000 of people will add greatly to the strength of the Empire of Japan, the most autocratic and aggressive Asiatic nation, with the ambitions of which many well-informed Americans believe at some time this country will have to reckon. The disposition of the Shantung territory is a controversy in which America is not directly interested, and a contention solely between two Asiatic governments, with both of whom we are at peace, and who were our allies in the recent war with Germany.

In my opinion, relatively speaking, the Senate has devoted too much time to this controversy, and I sincerely hope that the debate is now drawing to a conclusion, and that the proposed amendment may speedily come to a vote.

The Senate should, I think, give its attention to those provisions of the treaty believed by the majority of the Senators, and as I believe, to vitally affect the sovereignty and independence of the United States, the honor of our Nation, the liberties of the American people and their right to govern themselves in their domestic and internal affairs free from the interference and control of any other nation or all the nations of the world.

What I have to say about this amendment will be brief and confined to what I think affects the interests of the American people and the established policies of our Government.

The provision of the treaty proposed to be amended is found in part 4, article 156, and is as follows:

Germany renounces, in favor of Japan, all her rights, title, and privileges—particularly those concerning the territory of Kiaochow, railways, mines, and submarine cables—which she acquired in virtue of the treaty concluded by her with China on March 5, 1898, and of all other arrangements relative to the Province of Shantung.

All German rights in the Tsingtau-Tsinanfu Railway, including its branch line, together with its subsidiary property of all kinds, stations, shops, fixed and rolling stock, mines, plant, and material for the exploitation of the mines, are and remain acquired by Japan, together with all rights and privileges attaching thereto.

The German State submarine cables from Tsingtau to Shanghai and from Tsingtau to Chefoo, with all the rights, privileges, and properties attaching thereto, are similarly acquired by Japan, free and clear of all charges and encumbrances.

The amendment proposed is to strike out the word "Japan" and insert "China."

The United States is not mentioned, directly or indirectly, in this article, and it purports to be entirely a contract or stipulation between Germany and Japan, and the amendment proposes to make it one between Germany and China.

The position of those who favor the amendment is that the United States is a party because of the fact that it is a signatory to the treaty as a whole.

The proposed treaty is between the allied and associated powers, aggregating 32 different nations, and Germany, and contains many matters in which only one or more of those several powers and Germany are solely interested.

Such is the character of the provision now under discussion. The United States is not interested in it and is only a party by construction, if at all.

These being the facts, Mr. President, I shall vote against the amendment regardless of the merits of the controversy between Japan and China.

The Shantung Peninsula was ceded by China to the Imperial Empire of Germany by treaty in 1898, and Germany remained in possession until by force and conquest it was wrenched from it and occupied by Japan.

Japan was in possession of the sovereignty and the property rights which Germany had there acquired when the armistice was declared and the treaty formulated.

Germany by the treaty renounces all the rights which it acquired under the treaty with China to Japan.

The United States is at peace with both Japan and China, and is under no treaty obligations to either of them concerning the territory now in question.

It has no obligations, legal or moral, concerning the respective rights of either of these powers in this territory.

The fact that the conquest and retention of this country and these people by the Empire of Japan may be conceded to violate the rules of self-determination and government by consent of peoples which our Chief Executive promulgated before we went into the war, when we had nothing to do with it, that should control the terms of peace among nations, does not, in my opinion, call upon the United States to take part in this controversy, or to uphold the sovereignty and property rights of Japan or those of China.

Wherever may be our sympathies in this controversy, we, as a nation, have no right to intermeddle in it.

The proposed amendment, in my opinion, conflicts directly with the long-established policy of the United States forbidding intervention in the intrigues, political affairs, and resultant wars of foreign countries, which is undertaken to be abandoned and destroyed by section 10 of the proposed league of nations contained in part 1 of the treaty, and which the majority of the Senate I hope and believe will obviate by the reservations reported by the Committee on Foreign Relations for that purpose, or one similar in effect, to which and other reservations in line with it I will give my hearty support.

I am unable to reconcile the support of the Shantung amendment, a matter solely between the Empire of Japan and the Republic of China, with the proposed reservation to section 10; and, in my belief, those who support the amendment and this reservation are occupying absolutely inconsistent positions.

I shall oppose all provisions of the proposed league of nations and the treaty which violate or tend to abandon the policy of the United States proclaimed by Washington and reiterated in messages and other public documents by Jefferson, Madison, Monroe, Jackson, Cleveland, and by President Wilson in public addresses as late as 1914, 1915, and 1916 that this country should not form any entangling alliances or involve itself in the jealousies, strifes, political intrigues, and resultant wars of foreign countries, and support such amendments and reservations as may be necessary to preserve unimpaired that policy.

This policy has redounded to the glory of the American Government and contributed to the happiness of the American people. Under it we have grown great, rich, and powerful. That it is founded upon the soundest principles of statesmanship and public safety is conclusively demonstrated by the history of our Nation and by the experience of a century.

It, like its corollary, the Monroe doctrine, was adopted for the safety and preservation of the American Government and American liberties, and they are so interwoven and interdependent that they must stand or fall together.

They are both so definite and clear in their terms and have been so long and so uniformly adhered to that they have become fixed rules for the government of our country in its foreign relations and practically a part of our fundamental law—yes, a very limitation upon the treaty-making power of the President and the Senate which they have no power to wantonly violate.

This rule and policy was followed in the only general peace treaties for the prevention of war this country has been a party to.

The procès-verbal of The Hague peace conference, 1897, had a reservation in these words:

The delegation of the United States of America on signing the convention for the pacific settlement of international disputes, as proposed by the international peace conference, makes the following declaration: "Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions."

Again, at the conference in 1907 the American delegates made this reservation:

Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the

political questions of policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.

Again, in the only other conference for the prevention of war which I can now recall, by settling the controversy between Germany and France in regard to Morocco, the Senate, in giving its consent to that treaty and its reasons for being a party, inserted the following reservation:

Resolved further, That the Senate, as a part of this act of ratification, understands that the participation of the United States in the Algeiras conference and in the formation and adoption of the general act and protocol which resulted therefrom, was with the sole purpose of preserving and increasing its commerce in Morocco, the protection as to life, liberty, and property of its citizens residing or traveling therein, and of aiding by its friendly offices and efforts, in removing friction and controversy which seemed to menace the peace between powers signatory with the United States to the treaty of 1880, all of which are on terms of amity with this Government; and without purpose to depart from the traditional American foreign policy which forbids participation by the United States in the settlement of political questions which are entirely European in their scope.

It will be noted that the reservations in The Hague conferences apply to the whole world, not to Europe alone.

Mr. President, there is one other declaration upon this subject that I desire to read at this juncture. While primarily the question of the Monroe doctrine was involved—that is, so interwoven and related to that of forbidding this country to involve itself in the troubles and controversies of foreign nations that it applies to the proposition I am now trying to enforce—I am going to read from the message of President Cleveland, a Democrat and an American, to the United States Senate in regard to the Venezuelan controversy with Great Britain. Mr. Cleveland said:

Such reply is embodied in two communications addressed by the British Prime Minister to Sir Julian Pauncefote, the British Ambassador at this Capital. It will be seen that one of these communications is devoted exclusively to observations upon the Monroe doctrine, and claims that in the present instance a new and strange extension and development of this doctrine is insisted on by the United States, that the reasons justify an appeal to the doctrine enunciated by President Monroe are generally inapplicable "to the state of things in which we live at the present day," and especially inapplicable to a controversy involving the boundary line between Great Britain and Venezuela.

Without attempting extended argument in reply to these positions, it may not be amiss to suggest that the doctrine upon which we stand is strong and sound because its enforcement is important to our peace and safety as a Nation, and is essential to the integrity of our free institutions and the tranquil maintenance of our distinctive form of government. It was intended to apply to every stage of our national life, and can not become obsolete while our Republic endures. If the balance of power is justly a cause for jealous anxiety among the governments of the Old World, and a subject for our absolute noninterference, none the less is an observance of the Monroe doctrine of vital concern to our people and their Government.

Assuming, therefore, that we may properly insist upon this doctrine without regard to the "state of things in which we live," or any changed conditions here or elsewhere, it is not apparent why its application may not be invoked in the present controversy.

President Cleveland concludes that message in these patriotic words, which most forcibly showed the position of the American people in relation to the proposed treaty:

In making these recommendations I am fully alive to the responsibility incurred, and keenly realize all the consequences that may follow.

I am, nevertheless, firm in my conviction that while it is a grievous thing to contemplate the two great English-speaking peoples of the world as being otherwise than friendly competitors in the onward march of civilization, and strenuous and worthy rivals in all the arts of peace, there is no calamity which a great nation can invite which equals that which follows a supine submission to wrong and injustice and the consequent loss of national respect and honor beneath which are shielded and defended a people's safety and greatness.

The true course, in my opinion, to be pursued, if the United States can be construed to be a party to the provision of the treaty in question, is to adopt a reservation withholding our consent to this article and declining all participation in the controversy between these two foreign nations, with both of whom we are on terms of amity and peace, reserving the right to do what we think just in the future.

There can be no justification for us becoming involved in this controversy, and possibly in honor bound, to go to war to maintain the rights of one or the other of these countries.

We are not directly parties to this article of the treaty now; but if we adopt this amendment we will be parties to it and in honor bound to sustain all guaranties which we enter into in relation to it.

Mr. President, I again express the wish that this amendment can be disposed of without much further debate and that we can reach and dispose of the amendments and reservations which are vital to the American Government and the American people.

There are several of these amendments or reservations, as they are variously styled, which I propose to vote for and which I hope will be adopted without much delay. I will not now discuss them, but merely announce my position upon them.

I am unwilling to create a supergovernment to dictate or even advise the United States in its foreign or domestic affairs and policies.

I am unwilling to obligate the United States to guarantee the territorial integrity and existing political independence of some 45 nations, found in every part of the globe, populated by all the different races of peoples and nationalities, including the far-flung possessions of the powerful British Empire, as well as the smallest and weakest nations of the world, some unable yet to stand alone and others verging on collapse and dissolution, whereby our country would be constantly embroiled in expensive and sanguinary wars.

I am unwilling, Mr. President, to vote for a conscript law, to send young men of this country, like Hessian mercenaries, into foreign countries to take part in a war in which our country is not interested, and I shall never do so. An army can not be raised for that purpose in any other way than by such legislation; and I now predict if this treaty is ratified that Congress will fail to observe it, although it is in honor bound to carry out any treaty that the constitutional treaty-making power may enter into within the authority conferred upon it by the Constitution.

Mr. REED. Will the Senator yield for an interruption?

Mr. SHIELDS. I will.

Mr. REED. I merely wish to call the Senator's attention to the fact that the pending military bill makes conscription automatic the moment a war is declared, the President having the right to call out the troops by the draft process, just as he had during the last war, and that bill is now submitted to us as a part of the scheme of world peace.

Mr. SHIELDS. I have so understood the provisions of that bill, although I have not carefully read it. I announce now that if such provisions are in the bill when it comes before the Senate, it shall not have my support.

Mr. REED. They are in the bill.

Mr. SHIELDS. Mr. President, I am unwilling to support a treaty which, by the remotest implication or possible construction, authorizes a supergovernment or a council of foreign nations to interfere with and control our internal affairs and domestic relations of any character, sacred rights cherished by all nations, and now secured to them by both national and international laws. I will favor reservations which will absolutely and unequivocally exclude such interference and control.

I am unwilling to commit this country by treaty obligations which do not clearly and beyond controversy preserve and perpetuate the Monroe doctrine.

The United States is a sovereign and independent Nation, the political equal of all other nations, and the sovereignty and equality which Washington compelled Great Britain to concede and recognize and which Jackson sustained at New Orleans can not be constitutionally surrendered or impaired in the slightest degree, regardless of whether it affects our material interest. There must be reservations which will protect our honor and sovereign equality.

I will not consent to the British Empire having 6 votes in the league of nations to 1 vote for the United States. I have too much pride in my country to approve any treaty that concedes precedence to the British Empire or reduces the United States to political equality at home or abroad with a colony or subordinate division of that Empire.

Our flag, with my consent, shall never float lower than that of Great Britain or any combination of nations.

Mr. President, we must not be guilty of such delay in the consideration of this treaty as the peace conference at Paris was in formulating it.

It is to the interest of the world, and particularly America, in which I am primarily interested, that final action be had in the matter as soon as possible.

The American people do not, in my opinion, care so much about the proposed league of nations as they do about the conclusion of the war and the restoration of normal conditions. I know that such is their interest.

I do not mean to charge that there has been any unwarranted delay by the Senate in its deliberations.

There are questions involved which concern the American people more deeply than any other treaty that was ever presented to this body, and they merit and require the fullest deliberation and maturest consideration.

The responsibility and duty of the Senate in advising and consenting to the treaty is imposed by the same high authority that authorizes the Chief Executive to negotiate treaties, is of equal dignity and force, and must be met by the Senate and discharged patriotically and wisely, free of all possible extraneous influences.

The Senate, as I remember, was the last legislative body of the great powers to which the treaty was submitted for approval, and it has not consumed more time than other parliamentary bodies in its consideration.

Great Britain, as I understand, is the only signatory power which has fully ratified it, and this was to be expected, for in it, as in every treaty made following great commotions and wars in Europe, the British Empire has secured the lion's share of territory and commercial advantages.

France and Italy have practically, but not entirely, completed the ratification of the treaty, and they are the nations benefited next to Great Britain.

The United States Senate is not to be censured for its deliberate consideration, when it is remembered that under the treaty we get nothing not common to the smallest nations, but the United States assumes great and practically permanent obligations to harass its people with further burdensome taxation and to send its young men to foreign countries to fight and perchance to die in foreign wars, the right or wrong of which they know not and in which their country has no material interest.

Mr. President, when the other amendments and reservations, to which I have alluded, come before the Senate, I hope to be able to express my views and my reasons for supporting them, or others substituted for them, more logically and with some elaboration. There are reasons which have prevented me from doing so before this time.

Mr. LODGE. Mr. President, before the Senator from Tennessee yields the floor, if he will allow me, I desire to call attention to one slight omission which I think he made. He referred to the reservations made by our delegation at The Hague in 1907; but I think the Senator did not mention that those reservations were made a part of the resolution of ratification by the Senate. The resolution was submitted by Mr. Carter, and was considered by unanimous consent and agreed to, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a convention signed by the delegates of the United States to the Second International Peace Conference, held at The Hague from June 16 to October 18, 1907, for the pacific settlement of international disputes subject to the declaration made by the delegates of the United States before signing said convention, namely:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions."

Resolved further, as a part of this act of ratification, That the United States approves this convention with the understanding that recourse to the permanent court for the settlement of differences can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute; and the United States now exercises the option contained in article 53 of said convention, to exclude the formulation of the "compromis" by the permanent court, and hereby excludes from the competence of the permanent court the power to frame the "compromis" required by general or special treaties of arbitration concluded or hereafter to be concluded by the United States, and further expressly declares that the "compromis" required by any treaty of arbitration to which the United States may be a party shall be settled only by agreement between the contracting parties, unless such treaty shall expressly provide otherwise.

Then they reserved to the Senate of the United States the right of ratifying and passing upon the provisions made in each treaty of arbitration.

At that same conference at The Hague a convention concerning the rights and duties of neutral powers in naval war was negotiated, and on April 17, 1908, this occurred in the Senate:

April 17, 1908: On motion of Mr. Bacon, the Senate proceeded to consider the same as in Committee of the Whole; and no amendment being proposed, it was reported to the Senate; and no amendment being proposed, Mr. Bacon submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the adherence of the United States to a convention adopted by the second international peace conference held at The Hague from June 15 to October 18, 1907, concerning the rights and duties of neutral powers in naval war, reserving and excluding, however, article 23 thereof, which is in the following words:

"A neutral power may allow prizes to enter its ports and roadsteads, whether under convoy or not, when they are brought there to be sequestered pending the decision of a prize court. It may have the prize taken to another of its ports."

"If the prize is conveyed by a warship, the prize crew may go on board the conveying ship."

"If the prize is not under convoy, the prize crew are left at liberty."

Resolved further, That the United States adheres to this convention with the understanding that the last clause of article 3 implies the duty of a neutral power to make the demand therein mentioned for the return of a ship captured within the neutral jurisdiction and no longer within that jurisdiction.

It will be observed that that reservation excluded entirely one article of the convention.

I ask pardon of the Senator from Tennessee for interrupting him, but the matter was so pertinent that I thought he would not object.

Mr. SHIELDS. I inadvertently failed to mention that the Senate embraced that reservation in the resolution ratifying the convention, and I am very glad the Senator has supplied the information and read the resolution of ratification in full.

Mr. LODGE. I intend to have all reservations adopted by the Senate to any treaty printed. I have nearly completed the compilation, and I am going to have it printed in pamphlet form, and also in the RECORD.

Mr. BRANDEGEE. Mr. President, I read a document by Maj. Louis Livingston Seaman, M. D., LL. D., F. R. G. S., president emeritus of the China Society of America, entitled "An Appeal to Members of the Senate of the United States—Shall the Treaty of Peace be one of Justice or one of Infamy?"

"SHALL THE TREATY OF PEACE BE ONE OF JUSTICE OR ONE OF INFAMY?"

"That is the question the United States is now called upon to consider, and the destiny of nations hangs on the decision. America entered the Great War as the champion of smaller nations—to preserve the independence of imperiled countries, and to rescue civilization from barbarism. From its birth our Republic has stood for the rights of the oppressed. Our ideals have been for liberty and justice. Our great civil conflict removed the blot of slavery from our land—our Spanish campaign gave freedom and prosperity and happiness to an enslaved people in Cuba and in the Philippines, and our compensation for the sacrifice was the gratification of our ideals. We acknowledged no masters, and we do not propose to.

"The problem to-day is the ratification of the peace treaty with the Huns and the creation of a league of nations. Shall the Fourth of July, 1919, pass into history as the last anniversary of American independence? Shall we, by agreeing to article 10 of the covenant of the league of nations, surrender our sovereignty gained in 1776 to Great Britain, who by a vote of six to one can impose upon us the incalculable obligation of preserving the territorial integrity and political independence of herself or any member of the league of nations in any part of the globe? Are we prepared to submit our traditional attitude regarding purely American questions to a tribunal in which we are in such a hopeless minority or in which the vote of New Zealand could count as equal to our own? Shades of Washington and Jefferson! What would be their verdict if they could witness the depths to which our land has been dragged in order to gratify the personal ambition and egotism of the 'too proud to fight' pacifist who in the peace conference at Paris has been so hopelessly outwitted by trained European and oriental diplomacy that to-day he is the laughingstock of European statesmen, and whose refusal to prepare for the inevitable resulted in a prolongation of the war for more than a year, the loss of more than a million lives, the destruction of property inestimable, and suffering and misery that can not be described or measured. And poor China—whose Government, in the opinion of many competent authorities, has given more happiness and individual liberty to a greater mass of humanity than any other Government in the world; whose representatives were promised by our President that if their country entered the war in 1917 their territorial integrity would be preserved—where will China stand if this unholy alliance is consummated, and Shantung, the birthplace of Confucius, sacred to the Chinese, with its 40,000,000 inhabitants turned over to the tender mercy of the Japanese, whose policy of territorial aggrandizement rivals that of the European nations, as witnessed in Korea, Manchuria, and the Pacific Isles, and whose threats of aggression, made at the point of the bayonet, prevented China's entrance in the war in its earliest days?

"On August 20, 1914, I cabled Wu Ting Fang, secretary of state of China, from Ostend, Belgium, imploring China to sever diplomatic relations and declare war on Germany at once—to immediately seize all territory in China then occupied by Germany, to refuse further payment of indemnity for the Boxer uprising, and to demand repayment of all indemnities already paid, together with substantial damages for German occupation of Chinese territory. All this I then regarded, and still regard, as the moral right of China, for there would have been no Boxer uprising had it not been for Germany's policy of barbarism and aggression, when in carrying out the Kaiser's order 'to behave like Huns' they committed acts of 'kultur' and cruelty that challenged those since perpetrated in Belgium and Poland. Now is China's opportunity to regain her lost Provinces and obtain justice, and the people of the United States who are familiar with the conditions and know the truth demand that the United States Senate shall secure this result.

"It was hoped that the carnival of territorial lust, which for centuries caused untold bloodshed the world over, had culmi-

nated in the partitioning of Africa—the last of the continents to be parceled off by the world's looters, who, in the division of the spoils, followed, as the robber barons of feudal days—

"The good old rule, the simple plan,
That they should take who have the power,
And they should keep who can.

"But look at China to-day—that grand old country, with its great wall which for over 20 centuries protected it from the hordes of Tartars and Mongols on the north, while its Tibetan ranges on the west and impenetrable forests on the south permitted it to live in peace and tranquillity thousands of years, with no fear of molestation by 'foreign devils' from land or sea. And in this time the beautiful but fallacious philosophy of Confucius, which taught the rule of moral suasion rather than that by might, grew until its essence was expressed in the proverb, 'Better have no child than one who is a soldier'—this, too, in a land where it is considered a disgrace to die childless.

"And what was the natural result of pacifism? A condition of insecurity, of defenselessness, of inability to enforce that first law of nature—self-protection—followed, which, when realized by the occidental nations, resulted in their seizing great sections of her domains upon trivial excuses, and wringing most valuable concessions from her rulers.

"As a direct result of this spoliation, the worm at last turned, and the Boxer uprising of 1900 followed, having for its declared purpose the forcible expulsion of all foreigners from the country, and the recovery by China of her despoiled possessions. I say, without fear of contradiction by those who are familiar with that issue (and I was there), that that uprising was one of the most splendid exhibitions of patriotism witnessed in modern times. The methods pursued by the Chinese, due to the ignorance of their misguided leaders, and the horrors that followed, have afforded the theme for many a tragic tale and numberless explanatory theories. But the plain fact can not be gainsaid, nor too strongly emphasized, that the essential motive of that propaganda was the freeing of the land from the hated foreigners, who, in current phrase, had 'robbed the people of their country.'

"It was then, that in reprisal and revenge, the so-called civilized world turned against them. The eight allied armies of the 'great powers' marched to their capital, slaughtered their people, raped their women, looted their temples, their treasure, and their habitations, committed brutalities that rivaled those of the Huns in the recent great tragedy, and created a sentiment in China which fairly crucified Christianity, and which should redound to the shame and humiliation of the Christian nations whose forces participated in the outrages; but which, instead, secured monstrous indemnities and subjected China to the most humiliating terms of peace that were ever inflicted upon a nation, and that have kept her poverty-stricken ever since. America, however, has some reason for pride in that she waived claims to over half the indemnity, whilst her great statesman, John Hay, succeeded temporarily in preserving the integrity of the country by his splendid policy of the 'open door.'

"Never shall I forget that winter at Ching Wan Tao, following the war, where detachments of the allied army were gathered awaiting the fate of China. They reminded me of a pack of hungry wolves around the carcass of a dead animal—each fearing to set his fangs in the carcass, lest while so engaged his neighbor might do the same with him. And so during the long negotiations that finally led to the declaration of peace the situation continued.

"Four years later I again visited that scene, and there, in smaller numbers, were found the troops of many nations, still waiting, ready to seize the first opportunity to partition the country and to secure their share of the spoil. But more pressing engagements were then imminent, involving the attention of some of the powers. The Russo-Japanese struggle was on and China was given a temporary respite. From that time until the outbreak of the revolution which led to the establishment of the Republic, China paid the indemnity claims with such regularity that no opportunity was found for interference.

"For more than three-quarters of a century, beginning with the unrighteous opium war, and even later, China has been subjected to a series of squeezes and despoilment of her territory to an extent unequalled in history. The iniquitous indemnities wrung from her as the result of the Boxer campaign would have been reversed, and the countries now receiving them would be paying for the outrages committed had right instead of might prevailed. The powerful governments and financial institutions doing business in the Orient have become obsessed with the idea that it is legitimate business to 'squeeze' the country, regardless of right or justice, and in transferring the so-called German rights in Shantung to Japan the Big

Three are to-day continuing that policy, and making our country, the United States, underwriters to the unholy deal.

"The effect upon China of the spoliation of her territory and finances created among the leading minds of her people an appreciation of her weakness and of the necessity for the adoption of occidental methods for self-protection. They saw the absolute imbecility of continuing the policy of the Manchu dynasty and the necessity for a change of government, and the Chinese Republic became a reality. The character of the revolution which made it possible was remarkable. It obtained the maximum of liberty with the minimum of bloodshed. It was an evolution rather than a revolution, the most potent factors of which were those of peace and not of war. They were the results of trade with foreign nations, the importation of modern inventions, railroads, telegraphs, newspapers; the work of Christian missionaries, schools and colleges established by them; but, most of all, the influence of Chinese students who had been educated in foreign universities, and who carried back to their native land the high ideals of occidental government. In comparison with the epoch-making wars for freedom in occidental lands—the French Revolution, England's fight for the Magna Charta, or our own great seven years' struggle for independence—the Chinese revolution was almost bloodless. It is stated that the total mortality of the war which secured the emancipation of 400,000,000 of people was less than the number lost in the Battle of the Wilderness or in single conflicts in the war just concluded.

"The moderation shown by the successful leaders to their late rulers was another striking characteristic. Instead of the guillotine or exile, they were retired with liberal pensions and allowed to retain their empty titles. The leaders enjoined upon their followers the protection of life and property, both commercial and missionary, and these orders were strictly obeyed.

"A people who carried to a successful termination such a revolution deserve the respect and recognition of the world in their present great crisis. The enemies and looters of China to-day forget the traditions of the race—that China was old when Chaldean and Babylon were young; that she saw the rise and fall of Grecian and Roman civilization; and that she has maintained the integrity and honor of her Government ever since; that her scholars discovered the compass and invented the intellectual game of chess when the Huns of Europe and the Japanese were groveling in the darkness of medievalism; that she produced her own science, literature, art, philosophy, and religion, whose founder, Confucius, 500 years before the birth of Christ, expounded the doctrine of Christianity in the saying, 'Do not do unto others what you would not have others do unto you.' They forget that for nearly a thousand years China has been nearer a democracy in many features of its government than any other government then in existence. The fundamental unit of democracy, the foundation upon which our own Government rests, is embodied in the principle of the New England town meeting. All authorities on democracy—De Tocqueville, Bryce, and the Comte de Paris—agree in this, and in China all local government for centuries has been controlled by local authorities.

"The Chinese have never sought territorial aggrandizement but have loved the paths of peace, where the law of moral suasion, and not of might, ruled. They possess qualities of industry, economy, temperance, and tranquillity unsurpassed by any nation on earth. With these qualities they are in the great race of the survival of the fittest to stay. They are to be feared by foreign nations more for their virtues than for their vices, and in their present struggle for the maintenance of their territory they deserve our earnest sympathy and support. Will America, the champion of justice, now desert that grand old country and witness its vivisection when we have the power to prevent it?

"The Japanese claim their country is overcrowded and they require more room for their increasing population. Is this a legitimate reason that the 450,000,000 Chinese should be crowded out of the land in which they have lived for 6,000 years? Is China to become a second Honolulu, where 60 per cent of the population are Japanese?

"Japan has already been rewarded many times for her contribution to the victory of the Allies in being relieved of the threatening danger from Germany, which when in possession of Kiaochow strategically commanded the Japanese Sea, and where a strong navy would be a perpetual menace, and also by the award of the rich islands north of the Equator, which seem to be forgotten when this subject is discussed.

"Dr. David Jayne Hill, our former ambassador to Germany, stated in the North American Review that the Senate 'can ratify the treaty of peace and at the same time can reject a compact for the league of nations.' We hope the Senate will

exercise its constitutional right and defeat the creation of any league which is founded upon such monstrous injustice to a land which so richly deserves our protection, but which Mr. Wilson, who recognized it as a republic, has deserted.

"Defeated and made a laughingstock by the diplomacy of Lloyd-George and the Japanese, who, to use the language of the street, 'put it all over him' while I was in Paris in the last days of the peace congress through the bluff of recognizing no color distinctions in the league of nations—Wilson, after urging the participation of China in the war, deliberately reversed his position—granted rights that never existed to Japan and, to save his face, now seeks to have his action indorsed by the American people. Was such a travesty of injustice ever attempted before, and does he think he can 'fool all the American people all of the time,' including the United States Senate?

"The covenant of the league of nations is presumed to be based upon equity. When I studied law, the first axiom in that court was, 'He who comes into equity must come with clean hands.' Does Japan, after her treatment of Korea and her secret treaties won by bribes and threats, come into this court with clean hands? Germany had no more rights in Shantung than a robber who forcibly enters a house at night and whose expulsion could not be enforced by its owner. I was in Shantung at the time these so-called rights were claimed, and the whole world knows how baseless they are. It also knows how much value the hypocritical Hun places on a so-called 'missionary.' And now Japan, for the insignificant part she played in the war, where her entire mortality amounted to about 800, demands these so-called rights of Germany and many others as her share of the swag. And she further demands the stamp of approval of the peace commission and league of nations. And America's self-appointed representative, Mr. Wilson, and his rubber-stamp associates approve these demands. What would Lincoln and Burlingame and Hay, who won the respect and confidence of China through honest treatment and the establishment of the policy of the 'open door,' say if they were here? Would they not with one voice damn a document whose initial act was of such monstrous injustice, and will the United States Senate do less?

"China's contribution to the victory of the Allies was far greater than that of Japan. With 100,000 men in the trenches in Belgium and France—and I was there and saw many who will never return—and another 100,000 in the munition plants of England, China did her part in defeating the Hun. She did this at the instigation of the United States; and unless something is done to dissociate our name from the proposed Shantung settlement of the peace treaty the Chinese people for generations to come will regard America and Americans with suspicion and contempt.

"If the whole structure, erected for safeguarding the peace of the world and preventing a 'breaking of its heart,' depends on the rape of a nation of 400,000,000 innocent souls who trust to the honor of America for justice, then let the structure undergo reconstruction or let America refuse to be a party to such a crime. A structure founded upon treachery or injustice is not one to receive the indorsement of a nation whose inheritance of freedom was bequeathed as a rich legacy by a once hardy, brave, and patriotic, but now lamented and departed, race of ancestors, and whose duty it is to transmit it to coming generations 'unprofaned and undecayed by the lapse of time.'

"And just here it might be pertinent to ask who requested Japan's assistance or intervention in driving the Huns out of Kiaochow? Did China? Oh, no! Japan began hostilities when China was not at war with Germany. She landed her troops more than a hundred miles north of Tsingtau, and marched them through Chinese territory, subsisting them largely on the country through which they passed, thus committing what is usually called a trespass, and with the assistance of the British and Chinese the 4,000 Germans were defeated. But let it be distinctly understood that with the British fleet blockading the harbor of Kiaochow the Chinese could have accomplished the same result without assistance from Japan or any other power.

"In discussing the Shantung question Prof. Jeremiah W. Jenks, research professor of government and public administration and director of the Far Eastern Bureau, says:

"In laying plans for the control of Shantung Japan has been playing for a big prize—for the control of Kiaochow and the railroads of Shantung practically means the control of the capital Province of China and of the chief normal shipping port for all of North China. The war gave her an excuse to seize Kiaochow, which she did on November 6, 1914. Her next step in China was to present, in January, 1915, a secret series of demands, which if granted would in the near future enable Japan to dominate the policy of China from the military, financial, and political viewpoints. The Japanese Government at

first falsely denied that such demands had been made, and when it saw it could not conceal the fact it gave out a list of "requests," suppressing altogether those that most endangered China's sovereignty. Under threat of war, China acceded to all the demands but group 5, which would have made her a subject nation. Japan stated that group 5 would be reserved for further consideration. From the time that Japan seized Kiaochow she has treated Shantung as a conquered Province, occupying the German buildings for military and administrative purposes, placed guards along the railway line to the capital, has assumed military control of property, and has instituted civil government over the sections she occupies. Confirmation by the big three of Japan's claims in this territory, with the unwritten understanding that Japan shall eventually return it to China, has roused a storm of indignation among Chinese everywhere, and there are reports that the Chinese will resort to their most effective weapon—a boycott against all things Japanese—which, if not successful, may be followed by war.

"Senator BORAH stated the case admirably when he said, 'The Shantung provision should come out of this treaty definitely and conclusively. It is no different in principle from the arrangement with reference to Alsace-Lorraine 50 years ago. It is, in fact, no different in principle from the dismemberment of Poland nearly 200 years ago. Both of these transactions planted the seeds of future wars and both went far to impeach and destroy the moral prestige of all nations responsible for these crimes. The mark of Cain has been upon them ever since.'

"As already stated, the question the Senate has to determine is whether it will indorse the decision of the peace conference in the Shantung controversy and thereby make America an underwriter of that outrage? If it decides that the fictitious claims of Japan to the so-called German rights in Shantung shall be transferred from China to Japan, it will compound a felony, it will commit an act of perfidy unsurpassed in American history, and it will be an act of injustice to China that is destined to bring about another war in the near future in which the brutality and mortality are likely to far exceed the record of the great tragedy just ended. Instead of proving an instrument for the preservation of peace its first result is likely to provoke a just and righteous war. In case China should decide to fight for the retention of her rights, on which side will America—ordered by Lloyd-George—array her armies? The Chinese have long memories. I well remember a conversation with His Excellency Li Hung Chang in his Yamen in Peking during the Boxer War, when we were discussing the danger from the prolonged presence of the allied armies in China. 'Oh,' he said, 'they will not stay long.' 'Well,' I replied, 'the Manchus remained some time—nearly 300 years.' 'What is 300 years in the life of China?' was his answer. And in that time the Manchus had been absorbed.

"In the comparatively recent Ty Ping rebellion the mortality amounted to over 15,000,000. If the military awakening of China occurs as a result of the wrongs to which it has been subjected by the peace commission the war that will follow and the mortality that will result will be without precedent.

"Query: As a starter for perpetual peace, is the United States prepared to assume this responsibility? And is a league of nations based on such a damnable, fraudulent, and iniquitous foundation likely to serve as an inspiration for humanity and to bring about 'Peace on earth and good will toward men'?

"The following resolution was passed at a recent meeting of the American Defense Society:

"Resolved, That the American Defense Society requests the Senate not to ratify those provisions in the peace treaty which convey to Japan the rights, interests, and privileges heretofore held in the Province of Shantung by the Empire of Germany, and that a copy of this resolution be transmitted to the chairman of the Committee on Foreign Relations of the Senate of the United States."

Mr. President, the Committee on Foreign Relations took some testimony about this question, not as much as I wish they could have procured, but there were three witnesses, I think, whose competency will not be questioned by anyone. They are Mr. Thomas F. Millard, Dr. John C. Ferguson, and Prof. Edward Thomas Williams. I shall read a few extracts from the testimony of these witnesses. Mr. Millard, on page 431 of the hearings before the committee, under date of August 18, 1919, stated that he was a writer, a journalist, a publisher of newspapers, and an editor of newspapers. Then the following appears on page 432:

"Senator BRANDEGEE. Do you know what was the ground of that advice that they should not employ American counsel?

"Mr. MILLARD. The explanation given to me by the Chinese was that our Government felt that China's position over there was somewhat that of the ward of the United States. I am not saying that they used that term; I am using that term as descriptive of the situation. There had been preliminary con-

sultations with the Chinese delegation at Peking before they left for Paris, in which they had submitted to our legation at Peking a list of the matters which they wished to bring up at Paris. On the suggestion of our Government, communicated through the minister at Peking, certain matters were eliminated. That is, China was advised that our Government considered that it would be inexpedient and would embarrass matters or complicate matters to raise those questions at Paris, and that led to the elimination of those questions. China did not raise those questions.

"Then the matter of employing some expert American advisers was brought up at that time, but, I think, was deferred for later consideration.

"After the peace conference had met at Paris, as I understand it, the matter was brought up again. I meanwhile, and others, had advised them in a perfectly informal way, myself acting merely as a sort of general friend of China and a man who was known to be a friend of China and familiar with the political questions out there, that they employ a couple of American advisers. I had suggested Mr. John Bassett Moore and Dr. W. W. Willoughbee, who at one time had been employed out there, but neither of those gentlemen went, and I did not know until after I arrived at Paris why they had not gone. Then I was told by the Chinese over there that it had been intimated to them that our Government would prefer that no Americans be officially connected with the Chinese delegation.

"Senator BRANDEGEE. Was it stated at any time that the embarrassments to which you refer if they did employ American advisors would be because the plans of our Government or the intention of our Government or of our peace commissioners to protect China would be interfered with if they had American counsel connected with them?

"Mr. MILLARD. I could not say that. I could only conjecture about it. That was the explanation given me when I got over there. I asked Mr. Wong and I asked Dr. Ku, because I had had some correspondence here in America with Dr. Willoughbee, in America, as to whether he was going over there or not. I said, 'Why didn't you get any of these gentlemen? Their counsel would have been valuable in these circumstances.' And then they told me they had not done so because it had been intimated to them that our Government would prefer that they did not. I do not know what the motives of our Government were.

"Senator BRANDEGEE. These Chinese gentlemen to whom you refer as having told you these things, were they officially connected with the Chinese delegation?

"Mr. MILLARD. They were official envoys of the Chinese Government at Paris.

"Senator BRANDEGEE. And your services, as I understand you, were without compensation. Simply your expenses were paid?

"Mr. MILLARD. My expenses were paid."

The testimony of Mr. Millard begins on page 430 and continues quite voluminously; the testimony of Dr. Ferguson begins on page 567, and is under date of Wednesday, August 20, and continues at length; and that of Prof. Williams, under date of August 22, begins on page 617; and it all shows what the effect upon China will be of the transfer of the rights in the Province of Shantung to a foreign empire. Nobody can read that testimony without seeing that it is a perfectly fatal thing to do, so far as the territorial integrity or the political independence of China is concerned, because the covenant of the league and this much-disputed article 10 of the covenant of the league are based upon the theory that the league is to preserve the territorial integrity and the political independence of all members of the league, and the first thing which the treaty does, which guarantees territorial integrity and political independence, is to dismember the weakest and most populous and most inoffensive nation of the whole world and turn its most important part over to a foreign empire, because he who controls the Province of Shantung, its seaports, its converging lines of railroad, upon which all exports and imports and, of course, also the domestic distribution depend, controls the life blood of the Chinese Republic and its 400,000,000 of inoffensive and innocent souls, who are to be exploited because we weakly ratify two secret treaties made by two foreign powers with Japan against one of their own allies, after Japan had tried to keep China from becoming an ally and China had become an ally in spite of the efforts of Japan to hold her off.

Dr. Ferguson, on page 567, among other things, in reply to an inquiry from me, stated as follows:

"Senator BRANDEGEE. Do you know anything, either from reading oriental literature or from advices or from personal information, as to what the feeling of the Chinese people generally is about the concession of Shantung to Japan?

"Mr. FERGUSON. I know from actual experience. I left China, I might state, at the end of April, and I know from personal experience up to that time what the feeling in China was, and since that time I have had official communications and also read constantly the daily press of China, and I know what the opinion there is. I think it is not too strong to say that the feeling is a feeling of outrage that China has not only in this instance been forced to a specific act by one foreign nation, but that by the treaty for the first time a union of nations comes in to give sanction to a thing which she feels is wrong and is an outrage on her sovereign rights. In every former instance where such concessions have been wrung from her the balance of power among nations has always made it possible that some powers would come to her and say, 'We are sorry for you and we will help you out as much as we can.' In this instance China feels that she has been robbed of her rights in Shantung by one nation, originally by Germany, and those rights transferred to Japan, and that all the other nations have come along and have joined in approval of what seems to her an infamous act; and among those powers that are approving it is the Nation which she has always counted as her most disinterested friend, the United States. Does that answer your question?"

"Senator BRANDEGEE. Yes. I want now to follow that up by asking you, are you still acting in an advisory capacity to the President of China?"

"Mr. FERGUSON. Yes; I am still acting as adviser to the President of China. I came here on official work for the Government of China, and I expect to return at the end of October."

They are giving him a banquet in Boston to-morrow night, at which the principal citizens of Boston will meet to do him honor.

"Senator BRANDEGEE. Are you able to state whether the opinion that you have described as being prevalent among Chinamen is the opinion of the President of China?"

"Mr. FERGUSON. Unquestionably; and of the premier, and of practically every member of the cabinet, of all the governors of the Provinces whom I have met, of the chairmen of the Chinese Chamber of Commerce at Peking, at Tientsin, and Shanghai and Hongkong, all of whom I have met in the last six months."

"Senator BRANDEGEE. You speak of reading the native press. Do you speak Chinese as well as read it?"

"Mr. FERGUSON. Yes, naturally. All my official dealings are in the native language. I never use interpreters."

"Senator BRANDEGEE. So that you are able to ascertain at first hand the opinions of prominent men in China?"

"Mr. FERGUSON. Yes; when I meet the President of China no one else is present, and I talk directly with him as I would with the President of our own country, and without intermediaries."

Mr. President, there are 400,000,000 people waiting to see whether the United States Senate will set the seal of its approval upon this infamous dismemberment of that ancient Empire. For myself I shall not so vote as to have that blot rest upon my record. If, in this present war, Great Britain and France thought it necessary to betray and sell out their ally and transfer 40,000,000 of its citizens to the Empire of Japan, if they want to take the credit for that transaction, I prefer to leave it to them alone. I shall vote to support the amendment proposed by the committee, and instead of voting to transfer the Province of Shantung to an alien Empire, Japan, I shall vote to restore it to the Republic of China, which rightfully owns it and has, in my opinion, legally and morally come into possession of it.

The original agreement of China with Germany was obtained by force. The declaration of war by China against Germany, of course, destroyed any validity of the original German-Chinese agreement, even if it had not been obtained by force. And now, for the first time in history, as Prof. Ferguson so well says, the dominant powers of the world, coming together under a league of nations—32 nations of the world—are to guarantee that Japan shall have possession of these rights in Shantung upon the mere verbal promise of the Japanese that at some day they will surrender to China the sovereignty and will keep all the privileges which they now have. I, for one, will not be made a party to such an outrage.

Mr. OWEN. Mr. President, I observe in the afternoon edition of the Washington Times of to-day a large headline:

OWEN quits President on free nations.

I want merely to make the correction by stating that not only do I not quit the President with regard to the covenant of the league but I support him very cordially and completely, and that I have not proposed to submit an amendment or a reservation, but an interpretative resolution carrying out the principles for which the President stands.

Mr. THOMAS. Mr. President, the so-called Shantung provision of the treaty has been to me a source of great perplexity not so much as to the facts involved but as to the attitude which

should be assumed toward it when all of the details are considered. I have read most of the essays and communications that from time to time have been submitted through the CONGRESSIONAL RECORD, the comments of the press, magazine articles, and the speeches of Senators since the treaty has come before us for final consideration. I have read and pondered over the treaty provisions and have reached a conclusion which is not wholly satisfactory, for it is based quite as much upon expediency as upon logic.

It is one of the gravest features involved in the treaty, and consequently one demanding familiarity with its various details, together with some consideration of consequences, possibly resulting from our action, whatever it may be. I am not at all satisfied of the expediency of voting for the amendment or for an equivalent reservation, one or the other of which is unquestionably essential. If we might reject the three articles which relate to this subject, whereby the United States would neither affirm nor deny the right of China or of Japan to Shantung, and by so doing discharge our obligations to the country and to our associates, that course would appeal to me very strongly. But inasmuch as China and Japan are among the nations engaged in the making of the treaty, and inasmuch as their interests concern and should be disposed of in some fashion by the treaty, that can not be done.

I shall not detain the Senate by extended reference to the details of the Shantung controversy. That has perhaps been done too frequently. I think, however, it may be expedient to refer to some of them.

In 1914 when Germany precipitated the war, which this treaty seeks to terminate, she was in full possession of Kiaochow, of the town which she had built there, and of the concessions which the treaty of 1898 with China had given her. She had been in possession for something like 16 years, during which time no power, great or small, had questioned her right to it, whatever their opinions regarding the morality or the justice of her demand upon China. Our own Government had recognized her possession of this territory through the exchange of notes between the Secretary of State and the German chancellor, as I now recall, in the latter part of 1898 or early in the succeeding year. Certain it is that no protest, either verbal or otherwise, was made by the United States when Germany compelled China to yield this very valuable and important concession; and I think that what is true of the United States is equally true of the other great powers. Germany had then, from an international standpoint, a grant of territory and of rights in China of which she had been in peaceful possession for about 16 years when the war began.

Whatever the view of Japan concerning the proximity of Germany to herself may have been, she gave no sign of dissatisfaction until the war had actually begun. Then, Japan, adopting the language of Germany, France, and Russia toward herself in 1895, regarding her demand for Port Arthur, declared that the presence of Germany was inimical to the peace of the Orient and required her vacation of Kiaochow within an extremely brief period of time fixed in the notice. She also declared to the world her ultimate purpose of restoring this territory to China after the Germans had been ejected therefrom. This declaration committed the Japanese Government to a definite pledge to make this restoration, although the time for performance was not specified.

After its capture and in the succeeding year, Japan, taking advantage of world conditions and feeling secure from interference, presented her celebrated 21 demands to China, and insisted upon their immediate acceptance without modification. Those demands have been referred to very frequently here, and I shall do no more now than make passing reference to them. Suffice it to say that prior to their ultimate acceptance by China, the Government of the United States served notice upon both countries that she would be bound by no agreement which transgressed her own treaty rights in China; thus assuming an attitude of antagonism to the Japanese demands, which, doubtless, caused those modifications which Japan reluctantly made before imposing them upon China.

Beyond this notification no nation voiced protest against or objection to the Japanese policy; doubtless because their hands were then full and they could not, if they would, have done more than protest, something to which Japan, under the circumstances, would have given little heed. Moreover, Japan was then in alliance with those of the great powers which were arrayed against Germany and they could not afford to take any position that might result in Japan's estrangement.

I regard the conduct of Japan in 1915, to which I have just referred, as having contributed more to that feeling of resent-

ment and distrust, in this country at least, than any other or perhaps all her policies before or since that time.

The injustice of these demands is apparent upon their face to any man who has read them. The fact that they would not have been pressed under other conditions, and the helplessness of China in resisting them, appealed to that spirit of fair play which is characteristic of the American people. From that time there is no doubt, in my judgment, that the public sentiment of the United States has very properly been aroused against the Japanese foreign policy, and particularly as regards the application of that policy to China. I have shared, Mr. President, in that feeling, and I have no doubt that, as the events of the world shall unroll themselves, Japan will realize that her treatment of China in 1915 will have done more than any other event in her history to promote the interests of other countries and to justify our distrust and suspicion—one of those "imponderables" of which Bismarck warned the German people—that she will ultimately regret it, I make no question. If immediately after the war or during the discussion of the treaty at Paris Japan had abandoned or even modified her attitude toward China, as outlined in the 21 articles, there would have been much greater disposition, certainly upon the part of our people, to accept her assurances of good faith, and to take for granted the soundness of her verbal obligations to China than can now be possible.

I have tried, Mr. President, in studying the problem presented by the Shantung provision of the treaty to dissociate my mind so far as possible from all considerations of Korea, because, whatever the treatment of Korea by Japan may have been, it should not, except in a most indirect way, affect our consideration of the character or the integrity of the articles of the peace treaty referring to Shantung. If the merit or demerit of these articles is to be decided or influenced by what Japan may have done toward other peoples, by the general course of her history or by other considerations, which, however interesting and important in themselves, have only remote bearing upon the proposition at issue, then, we must expect the interests of other countries to be equally influenced if not determined by such features of their general history, either past or contemporaneous, which may involve practices or conduct that do not square with the abstract principles of justice. But, nevertheless, Korea, her people, and her protests, from the inception of this discussion, have been identified with the Shantung question; and I have no doubt that the woes of Korea, the attitude of Japan toward that unhappy people, her disregard of treaty obligations concerning them, and the protests which they have made from time to time, coupled with their attempt to reassert their independence during the current year, have powerfully stimulated public sentiment in America, and have to some extent influenced the judgment of some Senators regarding the treaty.

Here again, Mr. President, Japan's occupation of Korea and her final absorption of that ancient Kingdom preceded Germany's declaration of war. It was complete at the time of Japan's notification to Germany to evacuate Kiaochow and Shantung. When in 1907 Japan declared a protectorate over Korea, against which her people vigorously protested, and when subsequently, in 1910, Japan absorbed the Kingdom of Chosen, although we were a party to a solemn treaty with her, we made no protest, nor did any of the other great nations concerned in the execution of this treaty. By our silence we both acquiesced in and approved of the conduct of Japan in her disregard of treaty obligations and her consequent absorption of Korea.

Under the treaty to which I have referred, and which was finally proclaimed on the 4th day of June, 1883, it was provided that "if other powers deal unjustly or oppressively with either Nation, the other will exert their good offices, on being informed of the case, to bring about an amicable arrangement," thus showing their kindly feelings. If any power dealt unjustly with Korea, it was a moral if not a legal obligation with us to exert our good offices in her behalf; and if any power dealt unjustly or oppressively with us, it was in turn the duty of the Korean Government to exert similar good offices in our behalf. Korea availed herself of that covenant and appealed to the United States to perform its duty under this provision, but in vain. If my memory serves me, the United States not only lifted no finger toward exerting its good offices with Japan, never protested her domination of Korea, but declined to officially receive the representatives of that unhappy country when seeking to secure some relief or recognition of our treaty covenant in that terrible crisis of their nation's history.

Having failed to comply with our treaty obligations, and acquiesced in the treatment of Korea by Japan, we became acces-

sories after the fact to her absorption of Korea; and however flagrant Japan's violation of her treaty obligations concerning Korea may have been—and I think there is no doubt of the fact—however unmindful of the rights of this subject people she may have been, we have confirmed her title to Korea as far as that can be done by noninterference and by acquiescence.

That being so, Mr. President, I am not at all impressed by these heartrending stories, however true they may be, of Japan's oppression and persecution of the Korean people; nor am I able to perceive how these facts—and they no doubt exist—can or should influence our dispassionate judgment in determining our duty under the Shantung provisions of this treaty. I sympathize with the people of Korea as deeply as any fair-minded man can. I would gladly see that unhappy people restored to their ancient prerogatives and independence.

I would be among the first to welcome her back into the family of nations, and I would gladly join in any proper movement designed to influence the Empire of Japan in that direction. But we are complaining now upon the principle that justified the farmer in locking his barn after his horse was stolen. I have no question but that if the United States in 1907 or 1910 had acted under the moral obligation imposed upon it by its covenant with Korea, Japan would have heeded us and her conduct toward that country would in all probability have been largely dominated by our friendly interference.

Men then now in public life, now prominent in the affairs of the Nation, are more familiar with these conditions than am I, yet now inclined to consider the Korean situation as in some way identified with or involved in this very serious problem. I think, Mr. President, we did wrong then. I believe that both morally and legally the United States should have given official expression, by way of friendly interference, of its disapproval of the destruction of Korea's political existence, basing its action upon the requirements of its treaty with Korea. But that was not done; so that when Japan entered this war, and afterwards when her delegates entered the treaty convention, the status of Asiatic affairs, as regards China and Korea, with the single exception of the change of German possession to that of the Japanese in Shantung, was substantially what it had been for some years previous; and having up to that time by our conduct acknowledged this situation we should now deal with the question entirely from the standpoint of subsequent events.

Mr. President, this brings me to the time when we became a belligerent, and when China, following our example, declared war against Germany.

I think there is no doubt but that the action of China was entirely due to that of the United States. If the United States had failed to enter the war, I do not believe China would have done so, first, because she would not have had the incentive furnished by our action, and, second, because the influence of Japan would have been sufficiently powerful to have deterred her from so doing. We are responsible, then, Mr. President, for the entrance of China into the Great War; and not having repudiated the assurance of our minister then given to her, I think we are responsible for his celebrated announcement to the Chinese President, made perhaps without authority, but confirmed by our approval. China, therefore, expected, relied upon, and was entitled to the support of the United States, wherever that support could be given consistently with our obligations to other nations, in her insistence upon the restoration of Shantung.

No man contends for a moment that China approved of the Japanese policy regarding Shantung, that she was pleased over Japan's assumption of the right to capture and restore it, or that she felt it essential to her welfare that Japan should assume that attitude. She had reasons, through former experiences with Japan in Mongolia and in Manchuria, that were sufficiently grave and important to warn her of what this intervention might ultimately mean. Therefore China's entry into the war was in all probability largely influenced by the attitude which she was assured the United States would occupy regarding her interests and her welfare during and at the conclusion of the war.

Among the 21 articles was the now celebrated agreement, also forced upon China by Japan, and dated in the spring of 1915, whereby Japan covenanted to make a qualified return of Kiaochow and of the German concessions to China.

It was the one small and unsatisfactory concession which China was able to secure from Japan as a consideration for her enforced acceptance of the 21 demands. I shall not take time, Mr. President, to go into the details of that covenant because that has been done many times upon this floor. Every man who is familiar with it knows that instead of constituting a complete return it is virtually a promise the performance of

which will invest China with little more than the shell of that which Germany wrested from her.

The Senator from Massachusetts [Mr. LODGE] yesterday, in speaking upon this subject, drew one or two comparisons in other sections of the globe which aptly illustrated the conditions following the performance of her agreement by Japan. If Japan were in possession of California, and agreed to return it to the United States subject to her reservation of the city of San Francisco and the Golden Gate, retaining her joint control over the lines of railway radiating eastward and northward and southward from that great city, and the additional right to develop the mining industries of a large section of California, we readily conclude that the restoration of California to the United States would be giving the shadow only, Japan retaining the substance, such is her covenant with China, which very naturally protested against it, and hoped with our assistance to at least secure such action at Paris as would give her an opportunity to present her claims and seek there vindication before the tribunal of the league of nations.

So, Mr. President, I have reached the conclusion that we as a Nation are morally bound to aid China in this controversy, to the extent that we can do so consistently, with our own interests, our other obligations, and having in mind at all times what may be the result of our action upon this treaty.

No man can defend the attitude of Japan toward Kiaochow. No man has attempted to do so upon this floor. The President has not done so. It is one of those events which expediency alone can justify, if it can be justified at all. In his Indianapolis speech, on the 4th day of September, Mr. Wilson said:

There is another thing in this covenant which cures one of the principal difficulties we encountered at Paris. I need not tell you that at every turn in those discussions we came across some secret treaty, some understanding that had never been made public before, some understanding which embarrassed the whole settlement.

Of course, he was referring to those secret agreements made in the spring of 1917 between Japan, on the one side, and England, France, Italy, and Russia, upon the other, under the terms of which Japan was to succeed to all German interests in China. He continued:

I think it will not be improper for me to refer to one of them. When we came to the settlement of the Shantung matter with regard to China, we found that Great Britain and France were under explicit treaty obligation to Japan that she should get exactly what she got in the treaty with Germany, and the most that the United States could do was to urge upon Japan the promise, which she gave, that she would not take advantage of those portions of the treaty but would return to the Republic of China, without qualification, the sovereignty which Germany had enjoyed in Shantung Province.

I construe that, Mr. President, to refer to an assurance given by the representatives of Japan different from and supplementary to that of her covenants with China in 1915; for that does not restore to China "without qualification" the sovereignty which Germany had enjoyed under the provisions of her treaty, unless we concede the assertion sometimes made that China ceded no sovereignty under her treaty with Germany, a position which I think can not be reconciled with those recitals of the treaty which refer to Kiaochow, Kiaochow Bay, and the islands immediately adjacent. The President said, further:

We have had repeated assurances since then that Japan means to fulfill those promises in absolute good faith. But my present point is that there stood at the very gate of that settlement a secret treaty between Japan and two of the great powers engaged in this war on our side. We could not ask them to disregard those promises.

I construe the repeated assurances to which the President refers to be identical with that given him at Versailles, and I earnestly hope that Japan may speedily perform them.

I regret that when the condition mentioned by the President presented itself, our delegation did not, when the treaties were insisted upon, withdraw from the conference. I believe that if it had done so they would have been withdrawn, and the United States would not only have been stronger in the subsequent conferences of that congress, but that a much more desirable treaty would have been secured from the other powers.

If we have learned anything by this war, it is the danger of secret engagements, and no one has denounced them more eloquently or more earnestly than President Wilson. I am not here to speak in judgment of the President or of the peace conference. I could not do so intelligently if I would, because I am not sufficiently familiar with all of the matters which were within their knowledge, and of which they necessarily had to take note in connection with every course pursued and every conclusion reached.

But I believe, Mr. President, that at that crucial moment the opportunity presented to our delegation justify my suggestion. The effect of these secret treaties not only ignored but seriously injured a co-ally. Such a course would have vindicated those principles of right and justice, which we flatter

ourselves to lie at the very basis of American institutions. But that was not done. The treaty provides, in complete accordance with the sentiments of the secret agreements to which I have referred, that Japan shall have everything, and China only that which Japan, in an outside agreement, supplemented by an oral assurance, proposes to bestow upon her at some time in the indefinite future. This is eternally wrong.

Mr. President, what is our duty under the circumstances? Shall we strike the word "Japan" from the treaty in these four articles and insert the word "China," thus not only amending, but reversing the action of the congress of Versailles, and throw the whole subject back to the consideration of that congress? Or can we meet this condition by appropriate reservations, which not having that effect will do justice—not complete justice, perhaps, substantial justice to China? I can not with confidence determine this alternative, although I must act upon it.

No one believes for a moment that if this amendment is adopted Japan will accept its conclusions. If she returns to the congress at all, it will be a matter of surprise to me. Why should she? We are the only dissenting nation. Independently of this treaty, she has the solemn engagements of all the other great powers of the world, every one of which will observe them and observe them faithfully. She has, in addition, the full and complete possession of Kiaochow and of all the appurtenances belonging to that concession under the German treaty. She is fortunate, therefore, not only by the fact of possession, but by the covenants of the great powers, the United States alone excepted; and if her ambitions are as declared by many Senators, and as may be the case, then would she not be plausibly justified in declaring that inasmuch as the United States had officially expressed lack of confidence in the integrity of her agreement and inasmuch as there would be no interference with her projects except by the United States, ignore her engagements with China and remain where she is—in full and complete possession of everything as a permanent part of her Empire?

What would we do under similar circumstances? Would we pursue any other course or would England or France or Italy? Not unless some higher authority, the compelling force of an international public opinion, dictated to the contrary. But, however that may be, I do not believe that Japan would further concern herself with the affairs of the congress at Versailles. This might or might not be desirable. If the league is to be established, her exclusion from it might render it innocuous.

It was stated on numerous occasions, Mr. President, during the latter days of the war, with what basis I know not, that Japan was not entirely averse to a rapprochement with Germany; that Japan's policy and her institutions in the East were a duplicate of Germany's policy and her institutions in central Europe; that her army was founded and based upon the German model and her methods of government largely copied from the efficient policies of the German Empire.

I saw yesterday in a pamphlet which I received in the mails what purports to be an outline of a provisional agreement between Germany and Japan, said to have been captured at Perm, but its identity is not entirely free from suspicion. We have reason to know, however, that the attitude of Japan toward Germany was in some respects different from that of the United States, France, Italy, and Great Britain. Her institutions are not republican, her people are not democratic; they are progressing perhaps in that direction, but she is and has been since the war the sole surviving autocratic Government of any considerable dimensions. She has penetrated Siberia, thanks to our unsatisfactory course and policy toward Russia—when I say "our" I include all the Allies—she has entrenched and is entrenching herself in eastern Siberia; and, in my opinion, she will remain there, a fact which we will soon realize, and whatever regrets we may then have that our attitude toward Russia was not more effectual, they will be but vain regrets, indeed.

She is thoroughly entrenched in Mongolia and Manchuria. Between the new German Republic, which still calls itself the German Empire, and the ancient Japanese Empire, which dominates the Orient, is a vast territory occupied by 180,000,000 people—distressed, disorganized, unhappy, and bound, sooner or later, to throw themselves in the arms of the "man on horseback." Why should we expect Japan to reenter the conference at Versailles when the prospect of a combination of these three great countries is more than probable under the control of Japan herself? What more alluring to her dreams and ambitions of the future than to dominate the resources and the people in conjunction with Germany of what but a few years ago was one of the most powerful empires in the world? What better justification could she discover for such a movement than America's repudiation of the treaty by the adoption of the amendment which we are now considering?

Let us also assume, Mr. President, that China, dissatisfied with the covenants of the treaty and encouraged by our adoption of this amendment, should herself attempt to overthrow the domination of Japan in Shantung. Alone, she would be helpless. Great Britain might give her some moral support; France, perhaps, and Italy—nothing more. Indeed, under the Anglo-Japanese treaty, Great Britain might be required to furnish a contingent of troops or of ships not in behalf of, but against, China should Japan demand it. If China resorts to arms, ours is the one Nation in the world to whom she can appeal. That she will do so is inevitable, and what shall we do in that emergency? We have heard many expressions of sympathy for China, many protests against the injustice of which she will be a victim under this treaty. But does any man within the sound of my voice suppose for a moment that in the contingency which I have imagined the United States would actively interfere in behalf of China against Japan? I do not think the sentiment of the United States would justify it for a moment. We have just emerged from a great war. Its cost in men has been comparatively small, but large enough, God knows. Its cost in money and material has been appalling, and largely because we had to wage the war 3,000 miles from home and across an intervening ocean. But in this case the distance would be doubled, for it is 6,000 miles from San Francisco to China, as against 3,000 miles from New York to Brest. We there had hospitable shores upon which to embark our troops. However eager the people of China to welcome us, the navy of Japan would challenge our progress and prevent, if possible, the landing of our armies. If we succeeded, the cost of its maintenance, in addition to that which we have already encountered, would bankrupt even so great a Nation as the United States. So that I take it that interference under those circumstances is out of the question. But what is the alternative?

The Senator from Massachusetts [Mr. LODGE] yesterday expressed grave misgivings regarding the future of our relations with Japan. He outlined some of her purposes and ambitions, and no doubt many of them are well stated. We feel instinctively toward Japan as we felt toward Germany after her declaration of war in 1914; not that there is cause for any immediate difference between the two great peoples, but that the ambitions of Japan and the interests of the United States in the Orient and in the Pacific may not always parallel each other. Here are the most probable causes of future difficulty, a contingency confronting us against which we must make some preparation.

But if as a result of our action upon this treaty China should take up arms for the overthrow of Japan in Shantung, and appeal to us in vain, the attitude of Japan toward the United States from that moment on would be intolerable. Her people would in all probability regard us as not measuring up to the test of national dignity and honor, if, indeed, they should not conclude that we were afraid of testing the power of the Empire of the Rising Sun lest the result might be disastrous to the great Republic. Her aggressions in the East would then, in all probability, assume an attitude which sooner or later would reach a crisis, and that would, of course, mean war. We must not forget, Mr. President, that we have a possession in that far-flung region always vulnerable to attack from a powerful enemy. I, of course, refer to the Philippines. When we acquired them, by the way, we ourselves made the first assault upon the integrity of the Monroe doctrine. It was then that we first interfered in the affairs of the Old World, by identifying ourselves with its dominions. For it is an essential condition of the integrity of the Monroe doctrine that we should not meddle in what Mr. Jefferson called *cis-Atlantic* affairs, lest we encourage the nations of the Eastern Hemisphere to meddle with our own.

Mr. President, these conditions I do not think are wholly imaginary; we should therefore have them in mind in determining how to dispose of this important amendment, in some respects the most important one we are called upon to consider, and one which every Senator desires to dispose of in accordance with the best interests of the great country which he in part represents.

There has been a good deal of latter-day sentiment here regarding China and a great many crocodile tears have been shed in her behalf. We are not particularly fond of the Chinese people. We do not permit them to come here. The few who are here permanently occupy a very low social position. In some of our political campaigns in the West we allude to them as "moon-eyed lepers," and sometimes use adjectives equally opprobrious, if not more expressive. We are just now greatly concerned about the home of Confucius. That, too, is purely sentimental. We did not care anything about the home of Con-

fucius when Germany grabbed it, nor of Mencius, possibly because Germany was a nation of white men.

But this sudden sentiment over old Confucius and the sanctity of his birthplace, however commendable, should have no place in the consideration of this most important proposition. It is quite as important, perhaps, as the consideration of the missionaries in Korea. I dislike to hear of outrages upon the Christian missionary, but I can not forget, Mr. President, that frequently he has been an advance agent for freebooting nations. We would have had no Shantung question but for the murder of two German missionaries in 1897, thus giving to the Kaiser the excuse for which he had been looking for some time, and which he at once made the basis of a demand for Kiaochow and the Shantung concessions. Great Britain herself is not entirely free from censure in this regard, for English missionaries suffering in China and elsewhere have occasionally enabled Great Britain to push her claims for compensating territory far beyond the limits of justice.

So it has been, and, I am afraid, so it will be. They are inspired by the loftiest sentiment and by the noblest aspirations of duty; nevertheless the commercial side of the foreign mission is there, and predatory nations have seldom failed to take advantage of it when opportunity came.

Mr. President, were it not for possible consequences of far-reaching character which may result from transformation of the Shantung domination from Japan to China, I should vote for the amendments. Only through them can we effectively register our protest against the wrong to China; but our adoption of them does not help China a particle. On the contrary, such action may serve to perpetuate the presence of Japan in Shantung, besides bringing us face to face with conditions which, to say the least, are portentous with trouble.

I have read very carefully the proposed reservation of the Senator from North Dakota [Mr. McCUMBER]. We are all familiar with it. It recites the understanding of the Senate of the United States regarding this subject in our vote of ratification. In view of the President's statement at Indianapolis, I should like to see it go further and, using his language, provide for the restoration to China of her unqualified sovereignty over the entire Province, which can only be done by the cancellation of those economic advantages, and particularly control of transportation, embodied in the German concession. We can insert such a reservation, Mr. President, and at the end of two years, if Japan has made no move toward restoration, we can serve notice of withdrawal from the league, basing the reason upon her failure to comply with her agreement. I am inclined to think that if the United States ever gets into this league, and then serves such a notice, the complaint which forms its basis will be at once rectified. If not, our retirement from the league at the end of the prescribed notice will abundantly satisfy the people.

I shall, therefore, Mr. President, although it is by no means a satisfactory course, vote for a reservation, either that of the Senator from North Dakota or a stronger one, upon this subject. I should like to see inserted in such reservation, if it be politic to do so, some reference to our contemplated action in the event, within a reasonable time, this great wrong to China is not rectified.

I am not one of those who desire to reject this treaty out of hand; I shall not do this unless forced to do so by the defeat of reservations that I think absolutely essential. I wish it were possible to add that all of my objections to the treaty could be crystallized in the form of reservations. But there is at least one amendment, which will be presented later, which I feel compelled under my oath of office and my convictions of duty to support.

Mr. President, I did not intend, when I took the floor, to speak upon this subject at such length, but it is one capable of such infinite detail and presenting so many angles, every one of which sustains and supports the views of Senators regarding the wrong to China in transferring her great Province to her dominating and powerful neighbor.

Mr. BORAH. Mr. President, I have listened, as I always do, with interest to the discussion by the Senator from Colorado [Mr. THOMAS]. I agree with him practically with reference to everything he has said, except possibly some of his conclusions as to his duty under the facts. I do not disagree with him as to the main facts which he has stated; neither do I disagree with him as to what those facts properly import as to the future.

I am particularly in accord with his criticism, if it may be called such, of our failure to manifest our opposition to the annexation of Korea by Japan. Having made the treaty which we had made, I think we were under obligations to exercise our friendly offices in preventing the amalgamation or incorporation of Korea with Japan. I am very much of the opinion, Mr.

President, that that same criticism may be lodged against the Senate in the future if we do not meet this issue upon the ground of what is right and just rather than upon the ground of sheer expediency.

I am quite sure that the consideration which prevented the Government of the United States from taking action in 1910 with reference to the treaty between this country and Korea was the view that it might involve us in a condition of affairs which we were not ready to assume. We temporized with conditions and postponed our plain duty. There is scarcely any end to the road if you undertake to travel it upon the pure question of expediency rather than upon that which is deemed to be right and just in the premises.

We find ourselves in regard to this particular matter at this time in a very unhappy situation. Upon the one side is the question of expediency, of what we may properly do with the least possible sacrifice; and, upon the other hand, there is the question of right. No one is in doubt as to what is right and as to what we really should do if we were acting upon moral grounds, leaving out the question of expediency entirely.

As the Senator from Colorado [Mr. THOMAS] has stated, no one has undertaken to defend this proposition upon the question of right and the principles of justice. Every member of the Versailles conference whom I have read of as having spoken upon the subject condemns it. The President of the United States, a member of the conference, has repeatedly rather frankly and fully condemned it. Practically every Senator who has spoken upon the subject here has either condemned it or apologized for it. Everyone feels, Mr. President, that the United States is involved in a condition of affairs from which it is difficult to escape without sacrificing something of its historical reputation for honor and for fair and just dealing with the other nations of the world.

We find ourselves in that situation by reason of certain secret treaties which were made during the pendency of the war. It is believed upon the part of many—and undoubtedly it was believed upon the part of those attending the conference at Versailles—that the United States in some way, by reason of having been associated with those who had made the secret treaties, is bound to give some consideration to their existence and to their terms. It was undoubtedly by reason of a secret treaty that the President finally yielded upon the Shantung matter. He has stated many times in his addresses that it was a secret treaty which so entangled the situation as to make it impossible to do that which he and the delegates from the United States desired to do. It is that particular phase of this situation and this controversy to which I shall address myself for a very brief time.

There were certain secret treaties made between Great Britain, Italy, France, Russia, and Japan, beginning in the year 1915, or the early months thereof, and extending up until about June, 1918. I do not care to-day to discuss the proposition of whether those treaties should have been made under the exigencies under which they were made. We do know that those treaties dealt with most vital and important affairs not only with reference to the enemy but with reference to the rights of allies and associates. We know that the treaties ran counter to the policies and principles which were announced again and again as the guiding policies and principles of the war. They were treaties, whatever may have been the reason for making them in the first instance, which the makers were under every obligation to make known to the United States after it entered the war.

To fail to advise the United States of the terms and conditions of those treaties, in view of the attitude of the United States with reference to certain policies, in view of the announced principles of the United States in the conduct of the war, amounted to bad faith upon the part of the countries which withheld the information, bad faith to such an extent as to relieve the United States from any moral obligation whatever of giving any consideration to the terms of those treaties either at the peace conference or at any other time during their existence. If this information, which we were entitled to have and which good faith required us to have, was withheld, certainly when it was given under a changed condition of affairs entirely and at a time when the United States was not in a position to retrieve itself in any way whatever concerning their terms, we were under no obligation to give any consideration to them at Versailles nor are we under any obligation now to consider them.

It has been stated many times since the debate opened upon this league that the hope of the league rests in the fact that we are to have a changed Europe, a changed system of diplomacy and of international affairs. Lord Cecil said some days ago that the covenant itself would amount to practically nothing,

except that it was based upon a new condition, a different world, and new principles were to obtain, and that these principles lying back of the league were the only assurance of its success.

Mr. President, these secret treaties, and the manner in which the nations have dealt with them, disclose that we have no new Europe, no new system, no change in the diplomatic policies or principles of Europe, and that we are dealing with the same condition, so far as the European system is concerned, as that which obtained prior to the war. The fact that these treaties were withheld from this Government until the last hour is, I take it, no longer a matter subject to dispute in this country.

I send to the desk and ask to have the Secretary read a statement made by the President at the time the Foreign Relations Committee visited the White House.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

"Senator BORAH. I wish to ask some questions in regard to the secret treaties. I do not feel as free about those matters as I do about the league, because there are certain things that I recognize may not be entirely open for public consideration; but, nevertheless, in so far as we can, I should like to know when the first knowledge came to this Government with reference to the secret treaties between Japan, Great Britain, Italy, and France concerning the German possessions in Shantung?"

"The PRESIDENT. I thought that Secretary Lansing had looked that up and told you. I can only reply from my own knowledge, and my own knowledge came after I reached Paris.

"Senator BORAH. We did get a reply from Mr. Lansing to the same effect so far as he was concerned. When did the secret treaty between Great Britain, France, and the other nations of Europe with reference to certain adjustments in Europe first come to your knowledge? Was that after you had reached Paris also?"

"The PRESIDENT. Yes; the whole series of understandings were disclosed to me for the first time then.

"Senator BORAH. Then we had no knowledge of these secret treaties so far as our Government was concerned until you reached Paris?"

"The PRESIDENT. Not unless there was information at the State Department of which I knew nothing.

"Senator BORAH. Do you know when the secret treaties between Japan, Great Britain, and other countries were first made known to China?"

"The PRESIDENT. No, sir; I do not. I remember a meeting of what was popularly called the council of ten, after our reaching Paris, in which it was first suggested that all these understandings should be laid upon the table of the conference. That was some time after we reached there, and I do not know whether that was China's first knowledge of these matters or not.

"Senator BORAH. Would it be proper for me to ask if Great Britain and France insisted upon maintaining these secret treaties at the peace conference as they were made?"

"The PRESIDENT. I think it is proper for me to answer that question, sir. I will put it in this way: They felt that they could not recede from them; that is to say, that they were bound by them, but when they involved general interests such as they realized were involved, they were quite willing, and indeed I think desirous, that they should be reconsidered with the consent of the other parties. I mean with the consent, so far as they were concerned, of the other parties.

"Senator MOSES. Were all those treaties then produced, Mr. President?"

"The PRESIDENT. Oh, yes.

* * * * *

"Senator JOHNSON of California. I think you answered to Senator BORAH the question I am about to ask, so pardon me if it is repetitive. It is this: Was the United States Government officially informed, at any time between the rupture of diplomatic relations with Germany and the signing of the armistice, of agreements made by the allied Governments in regard to the settlement of the war?"

"The PRESIDENT. No; not so far as I know.

"Senator JOHNSON of California. So far as you are aware, was it unofficially informed during that period?"

"The PRESIDENT. I would be more clear in my answer, Senator, if I knew just what you were referring to.

"Senator JOHNSON of California. I am referring to the so-called secret treaties which disposed of territory among the belligerents.

"The PRESIDENT. You mean like the treaty of London?"

"Senator JOHNSON of California. Yes; like the London pact.

"The PRESIDENT. No; no, sir.

"Senator JOHNSON of California. Could you state whether or not any official investigation was made by our Government to ascertain whether or not there were any such treaties of territorial disposition?"

"The PRESIDENT. There was no such investigation."

"Senator JOHNSON of California. These specific treaties, then—the treaty of London, on the basis of which Italy entered the war; the agreement with Roumania, in August, 1916; the various agreements in respect to Asia Minor, and the agreements consummated in the winter of 1917 between France and Russia relative to the frontiers of Germany, and particularly in relation to the Saar Valley and the left bank of the Rhine—none of these did we (and when I say 'we' I mean you, Mr. President) have any knowledge of prior to the conference at Paris?"

"The PRESIDENT. No, sir. I can confidently answer that 'No,' in regard to myself."

Mr. BORAH. We see, therefore, that these treaties which dispose of territory, which dispose of people, which divided up people, which ran counter to every principle which the Allies had announced as the guiding principles of the war, which would necessarily have a controlling influence upon the peace conference, which would necessarily embarrass any nation not familiar with their terms, were kept a secret by our allies, including Japan and Great Britain, from 1915 and 1917 until the peace delegates met in conference at Versailles.

Under what possible theory, legal or moral, can the people of the United States be asked to do a questionable, a dishonorable thing by reason of the existence of those treaties? We are relieved not only, of course, as a question of binding obligation, but we would be relieved in the court of any man's conscience from paying any consideration whatever to them. If Japan and Great Britain saw fit to enter into a treaty in 1917 by reason of conditions which existed at that time and because of exigencies in the war, I pass it by. Although it was imperialistic and contrary to all the principles which they were announcing, that is not a matter of concern to me. I did not believe them sincere in their declarations of principle at the time, and I was not misled. I do not, therefore, care to discuss that feature of the affair. But when they concealed those treaties, their terms and obligations, from the people who were entering into the war upon a specified program and upon specified principles, they had no right thereafter at any time ever to ask the United States to give any consideration to their terms or conditions. I thoroughly agree with the able Senator from Colorado [Mr. THOMAS] that when these treaties were laid upon the table at Versailles and the insistence was made by those who had signed them that they should be carried out the United States should have rejected them out of hand and, if necessary, have quit the conference, because moral prestige is still a national asset.

But, Mr. President, they not only concealed them, but, if I may be permitted to say so, they affirmatively misled the world in regard to the fact of their concealment, and particularly the United States. I read from the debates in Parliament upon the 4th day of March, 1918:

Mr. King asked the Secretary for Foreign Affairs whether there have been communicated to President Wilson copies of all treaties, whether secret or public, and memoranda of all other agreements or undertakings to which this country has become a party since the 4th day of August, 1914; and, if not, whether copies of all such documents will be handed to the American Ambassador in London.

Mr. BALFOUR. The honorable member may rest assured that the President is kept fully informed of these facts by the Allies.

Mr. McCUMBER. Mr. President, will the Senator give the date?

Mr. BORAH. I did give the date—the 4th of March, 1918.

I am not going into a discussion of the different secret treaties, because they are not relevant here to-day; but let us apply the facts to the Shantung situation, and see if the United States is not perfectly free to deal with it just as in good conscience and honor it thinks it ought to deal with it, and see if we may not deal with it without being subject to the charge of offending Japan or any other nation if we shall do what we think is right with regard to it.

China entered the war upon the urgency of both Great Britain and the United States. I think it is a pretty well established fact—I have stated it before and have never seen it denied—that the United States sent a representative to China who spoke before public meetings, commercial clubs, and so forth, and stated to the Chinese people in terms that they could rely upon the President of the United States to see that China had a place at the peace conference, and that her rights would be protected. This was not the statement of the ambassador, although such statements were, in effect, made by him and published in the Chinese press from time to time; but it was the statement of a

special envoy, as it were, sent to those people, encouraging them to do what they could for the allied cause, and assuring them that as we had ever been their friend in the past we would continue to be their friend in the future, and that their rights should be protected at Versailles.

Mr. President, of course I have no doubt that those statements were made to the Chinese people by the United States representative in perfect good faith.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. In just a moment. I do not assume for a moment that there was any intent at that time of in any wise misleading the Chinese people, or in any way—if I may use the term—of betraying their interests at Versailles. Now I yield to the Senator.

Mr. HITCHCOCK. Will the Senator kindly indicate the basis of his information that the United States made such representations or promises to China?

Mr. BORAH. I will not only indicate it but I will state it. There is a distinguished Chinese gentleman in this country, whose name I can not recall but whose name can be had, who traveled with Mr. Crane throughout China as his interpreter, and interpreted his addresses to the Chinese people, in which he stated to them that, as the representative of the United States, he was authorized to say to the Chinese people that they would have a friend in the United States and in the President at Versailles.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. In just a moment. I have also been informed that Mr. Crane feels somewhat offended that he was placed in that situation. That, however, was not stated to me by this gentleman. The other facts were stated to me by him. He is one of the leaders of the Y. M. C. A. in China. That is my authority. If it is not true, I should like to have it denied. I feel that I am stating a fact. This gentleman came with a gentleman who knew him—had known him well in China. He impressed me as thoroughly reliable.

Mr. HITCHCOCK. It seems to me that that is very vague and very unreliable. I supposed the Senator was basing his statement on the testimony given before the Committee on Foreign Relations.

Mr. BORAH. No; I was not basing it on that.

Mr. HITCHCOCK. I recall to the Senator the fact that Mr. Ferguson, who was the confidential adviser of the Chinese Government, testified before the Committee on Foreign Relations, and that his statement was far short of what the Senator has stated. If the Senator will permit me, I can read a paragraph in which Ferguson's testimony appears—

Mr. BORAH. As I have not referred to Mr. Ferguson and am not relying on his statement, I do not care to have the time taken up by reading it.

Mr. HITCHCOCK. I will not intrude on the Senator, but will he permit me to say that Ferguson being the confidential adviser of China, and Ferguson not claiming as much as the Senator claims for China, it is very evident to me that the claim could not be made with authority on behalf of China.

Mr. BORAH. Well, Mr. President, whether the charge which I have made in all its import is true or not, there is no doubt that it was well understood in China, and understood by reason of the statements of our ambassador, as well as from other sources, that the United States would undertake to be a friend of China at Versailles.

It is further true that after China went to Versailles she relied upon the United States; that by reason of the fact that the United States advised her not to employ special counsel she failed or neglected to do so; and any number of circumstances are available to show that from the very beginning the United States placed herself in such a position that China understood she was to have a particular friend who would protect her interests. Furthermore, one of the very objects of the secret treaties of 1917, so it has been stated, and, indeed, the French treaty incorporates it, if I remember correctly, was that Japan was to no longer throw any obstacles in the way of China going into the war.

Mr. HITCHCOCK. Mr. President—

Mr. BORAH. I yield.

Mr. HITCHCOCK. Does the Senator recall what it was that the representative of China testified to before the Committee on Foreign Relations?

Mr. BORAH. No; I do not.

Mr. HITCHCOCK. All he stated was that the United States agreed to assist China in securing representation at the Paris conference, which Japan had resisted. That is the beginning and the end of his testimony.

Mr. BORAH. Very well. The Senator can have his construction of it. But I have never heard it denied, Mr. President, that

the United States attitude toward China was that of encouraging her to enter the war. I have never heard it denied that it was the attitude of the United States that she was friendly to China and intended to protect her interests at Versailles. It is a notorious fact that at Versailles she did intend and did endeavor for a time, until confronted by the secret treaties, to protect China's interests at Versailles. It is further true that the President has expressed regret time and time again that by reason of the secret treaties he was prevented from doing what he desired to do, and what I have no doubt he would have undertaken to do had it not been for the secret treaties.

Mr. President, the same attitude toward China was assumed by Great Britain. Certainly Great Britain encouraged China to enter the war, and certainly they accepted her services, and those services were of an important and vital nature to the cause. Now, at the very time she was entering the war, at the very time that China was preparing to assist the Allies, Great Britain was entering into a secret agreement with Japan, another ally and associate, by which she was to take a portion of the other ally's territory and give it to Japan. This treaty was kept secret from China by Great Britain until they arrived at Versailles. It was kept secret from the United States until our delegates arrived in Paris—a secret combination or a secret treaty by which one associate in the war enters into a combination with another to deprive a third of property and territory.

It was bad enough, Mr. President, inherently bad enough, and it became indefensible and intolerable, from the standpoint of the United States, when it was kept away from us during all the months in which we were announcing our position in reference to those policies and principles by which we were supposed to be guided.

Mr. President, what did Germany have by virtue of this leasehold or treaty? What could she transfer to Japan or what could Japan acquire as German property by reason of a treaty? The German treaty itself provided that her rights were not subject to transfer to any other power. Germany had nothing which she could transfer had she affirmatively, of her own motion, undertaken to do so. Therefore there was nothing which Japan could acquire except what she acquired or could acquire by virtue of an act of war. When she undertook to take possession of the German rights, she found nothing but a lease which was forfeitable when it ran against the claim of any other nation.

Secondly, it was but a leasehold; it was not a concession. It did not undertake to transfer any sovereignty. It expressly provided against such transfer. Therefore under every rule with which I am familiar, of either municipal law or international law, the moment China entered the war those rights were forfeited and reverted to China. Being nothing but a lease, the moment it was forfeited by reason of the act of China entering the war, all rights reverted to the original lessor. Both by reason of the fact that it was nontransferable under the treaty, and by reason of the fact that it was a lease, China's entrance into the war took away any possible property rights which Japan could acquire by treaty from Germany.

What did Great Britain and France agree to? They agreed to support Japan in her claim for the German rights under the German lease, and nothing more. They did not undertake to cover any rights which Japan might have acquired by virtue of her entering upon the possessions of China as a separate and distinct nation, as an act of war, but undertook to support Japan in her claim at Versailles for whatever rights Germany had under this treaty, and that was all.

Now, what did Germany have when they met at the Versailles conference? What property interests did she have? I do not believe that there was anything there which could be transferred; secondly, that if there was any transfer which was effectual, the United States could disregard it in view of the fact that the terms of the treaty had been concealed and kept from her attention during the entire war.

In view of this record, therefore, Mr. President, we stand in the position to-day to do what in good conscience and in justice we ought to do. We can not be charged with bad faith by Japan or by Great Britain. We are in a position to assert our honor and to protect our honor by our act here in the ratification of this treaty. We stand free of all obligations save the obligation to do justice, to deal honorably with the entire situation. What right has Japan to complain that we disregard a treaty which she laboriously concealed? Indeed, she is under the highest obligation in good conscience to affirmatively release the United States from any obligation to consider these treaties. That is even more true with reference to Great Britain. If ever one nation was under obligation to deal in open candor, in unconcealed fashion, with another, Great Britain was under that obligation to this Government after

we entered the war. I let her record answer how she met that obligation.

Could Japan complain of the United States if the United States refused to recognize a secret treaty? Would she stand with any success in the public opinion of the world if she should quarrel with the United States because the United States refused to be bound by that which she concealed from the United States? Could Japan complain of the United States if the United States should write into this treaty that which international law and municipal law has already written into the treaty, to wit, the complete reversion of these rights and properties to China?

So I say, Mr. President, that neither in honor nor in law are we bound to give any recognition to the past or to past transactions between Japan and Great Britain.

Much has been said here from time to time to the effect that if we should do what is contemplated, it might lead even to a conflict with Japan. I do not think so. But if we are to have difficulty, if that can not be avoided, if the situation in the Far East is such, and made such by reason of these secret treaties, that disturbances must come, let us at least have a clean record behind our position; let us at least be in a position where the world can never assail us for doing an improper or an unjust or an unconscionable thing. If the situation in the Far East is as has been contemplated by the Senator from Colorado [Mr. THOMAS] and by others, and we must face it, we can face it with double strength, both in our own conscience and before the world, if we do right by our associate and our ally in the war. "Thrice is he armed who has his quarrel just." But in my opinion, Mr. President, that condition need not be considered.

I should think that it would be embarrassing indeed for the Japanese Government to insist against Great Britain, the United States, and France that she should have the possessions which Germany had in China, as against the undoubted legal principle that they reverted to China the moment China entered the war. Upon what foundation will she base her claim? Upon what contention will she rest it? She will rest it upon the contention which she is making now and which we are about to indorse—nothing in the world but desire and force. When you get down to the bottom of this and analyze it, the taking of Shantung by Japan is not based, except for arguments and camouflage, upon the treaty of 1915 at all. It is based upon opportunity, expediency, and force. Before she made the treaty of 1915 she had presented her 21 demands to China, presented them out of a clear sky. She was not at war with China. There was no occasion for the demands. She had had no trouble with China. She was, in effect, an ally, but these 21 demands incorporated the German rights and, in addition to the German rights, incorporated other demands which would have made China a subject nation to Japan. It was intended at the time to initiate the policy which the treaty of 1915 afterwards attempted to carry out. We will be called upon, Mr. President, to add our moral prestige and the strength of this Republic to the program which had been initiated, not by the treaty of 1915, but the wrong which had been initiated by the 21 demands which preceded that treaty.

We are becoming a party to the dismemberment of China, an ally. The initial step of this dismemberment is not the treaty of 1915, but the demands which preceded it.

I say that the United States should draw back from that proposition. There can not be anything possible in the world's situation which requires this Republic to do a dishonorable thing toward any nation, great or small. As certainly as conscience is left in the world, as certainly as there is a morality to which men will adhere, there must be in the minds of civilized and Christian people of the world a sufficient power to force justice to the front when it is so clear and unmistakable as it is in this instance.

As I said a moment ago, there is not a Senator upon the floor who defends it upon the ground of right. There is not a Senator who defends it upon the ground of justice. There is not a Senator who undertakes to put under it a basis of morality. There is not a Senator but regrets that it is here. The President regrets it. The people of the United States regret it. If to-morrow morning it could be known that the conscience of the United States was clean and clear of this "damned spot" which will stain her honor for all time, there would be an exhilaration of the public mind which has not been felt since the war closed, for we are essentially a just and honorable people. Will the United States rise to meet the situation? Will we send word to all the nations of Europe and of Asia that "you may dismember and partition and plunder and separate peoples until you get to that body which represents the people of the United States—there you must stop"? It would have a most wholesome

effect throughout the world. To do right, to do justice, that is the highest service we can now render to a doubting, distrustful, and suspicious world.

Mr. SPENCER. Mr. President, the Shantung provisions of the treaty of peace, sections 156, 157, and 158, are shameful. They are the culmination of a long series of unjust and regrettable international arrangements, every one of which is repugnant to that sense of justice which fortunately pervades the United States and which, please God, may never be diminished or destroyed.

In 1896 and 1897 Germany indicated clearly her determined policy to acquire for herself territory in China.

In 1898 when two Christian ministers of German citizenship had been killed by a mob, Germany promptly seized the opportunity of making this unfortunate incident a basis for the peremptory demand of the desired rights in Shantung. It had no more foundation in justice than, as has been well said, would exist if as a result of mob violence in the city of Baltimore a citizen of Great Britain should be killed and the unfortunate incident should be made the demand for the cession to England of the Chesapeake Bay and its adjacent territory.

Soon after the war broke out in 1914 the Chinese Government was anxious to expel the German forces from Chinese territory, and under the circumstances was able to do so. This would have brought China directly into the war, but Japan with great vigor insisted that China should not act in the matter and prevented her entrance into the war upon the side of the Allies, while Japan herself, at an almost negligible cost of men or material resources, dispossessed Germany from her Chinese possessions. It is significant that Japan in thus dispossessing Germany did not content herself alone with the acquisition of the territory which Germany had acquired but landed her troops a hundred and fifty miles in the interior and took military control of a far greater extent of territory than Germany had ever possessed.

In 1915 Japan, by the threat of force and by dominating diplomatic insistence, compelled an unwilling China to agree that the rights of Germany should on the termination of the war be transferred to Japan. Japan with great cunning secured, owing to the stress of world conditions, an agreement from England and France and Italy that they would consent in the final treaty with Germany to the acquisition by Japan of all Germany's rights.

It is, as I have said before, inconceivable that the representatives of the United States at the peace table who have asserted that the first knowledge they ever had of any such agreement between England, France, Italy, and Japan regarding Shantung came to them at Paris should ever have consented to proceed with the negotiations until these secret arrangements of such vital importance to the future welfare of the world were by the consent of all parties thereto entirely abrogated, so that the conference at Paris might begin their negotiations unencumbered by secret arrangements of which the United States had no prior information. One would have thought that the President would promptly have said to his associates:

"Gentlemen, I learn for the first time of the secret treaty which you have made between yourselves. I do not impugn the motive or the necessity which may have been the cause of its original creation, but as we now come together to consider the welfare of the world, and to consider it alone upon the principles of honor and of justice, I say to you in the name of the United States that before we enter upon this conference that secret treaty, by the consent of every one of you who formed it, must now be laid upon the table and canceled, in order that we may proceed, unfettered by secrecy, to do now what is right in the matter. I will not enter into a conference with my hands tied by a secret arrangement concerning which I had no information whatever."

But such action was not taken at Paris. The treaty of peace was negotiated with provisions which did give to Japan the very territory in China which England and France and Italy had secretly agreed with Japan should be given to her, and that treaty is now an accomplished fact and in practical operation. Germany has already ceded her rights in Shantung to Japan. Japan is in actual possession of the Shantung Peninsula, and nothing that we can do will dispossess her unless, indeed, by very force we eject her from the peninsula.

If we adopt these amendments as they are written, which expressly cede Shantung to China and take Shantung away from Japan, we ought to make it effective.

If the United States in its wisdom actually transfers territory, as these amendments do, from Japan to China, we ought to see to it that such transfer on our part is accomplished; otherwise it is nothing but a verbal bubble that by its very lack of substance suggests its insincerity.

Is it not also apparent that by these amendments, whether we proceed to enforce them by war or not, we are intermeddling in the most aggravating manner in the quarrels and disputes of the Far East? We seek to change an existing condition of territory of which we disapprove, and not only express our disapproval but actually take the disputed territory and give it to another. There could be no greater intermeddling in the affairs of the Far East than this.

If we adopt these amendments we are not helping China in the least. We do not change by a hair's breadth the existing condition of Japan's possession of the Shantung Peninsula. We do nothing more than create a diplomatic situation which renders real help to China more difficult in the future.

For my own part, I want to record my abhorrence of the Shantung provisions as they are written in the treaty; and yet I am not blind to a condition which actually exists and which for the moment the United States is helpless to remedy. If the pending amendments could accomplish the transfer to China of Shantung I would vote for them.

Before the Senate is through with the treaty I shall avail myself of the opportunity or I shall create the opportunity by my vote of expressing my views; but at the present time the amendments as they are proposed are impotent to help China unless we inject ourselves into the very center of the eastern question. Their adoption would cause the United States to intermeddle in the disputes of the Far East, from which we ought to earnestly seek to be free. Are we not wiser before the world, Mr. President—wiser from the viewpoint that has been so eloquently stated by the Senator from Idaho [Mr. BORAH]—more consistent with our established polity, and more helpful to our sister Republic of China, if, under the situation as we now find it actually to exist, we express our disapproval of the provisions of the treaty with regard to Shantung, refuse ourselves to be bound by them, and indicate in clear terms our intention of remedying the wrong at the first opportunity?

I think so, and because I think so I shall vote against the pending amendments.

Mr. REED. Mr. President, I have listened with great interest to the very forceful statement of my colleague [Mr. SPENCER], and I dislike very much to take issue with him, because he is my colleague; but I desire very respectfully to call his attention to the fact that his entire argument proceeds upon a fallacy, and I believe that I can make that so clear that my colleague will be almost, though perhaps not quite, convinced.

The Senator states that the rape of Shantung is abhorrent to him and abhorrent to the world. These are not his words, but that is their import. The Senator having laid down that proposition then proceeds to say that this is an accomplished fact because the treaty has already been signed by Germany, has already been signed or agreed to by Great Britain, by France, by Japan, and by Italy; therefore, the treaty is an existing fact; that the transfer is consequently a completed thing; that what the United States now proposes to do is to disregard and defy this existing condition; and that if she does so she takes the responsibility of summoning her armies and her navies and going to war with Japan in order to assist China in wresting from Japan this Province thus finally turned over to Japan. That is a fair statement of the Senator's position.

The only trouble with that is that it is all aside from the facts. What are the facts? We are now asked to ratify this treaty, to become a party to it, and until we do become a party to it it will not be binding upon us. If we now proceed to amend it, it will have to go back to all of the nations that have signed it, and they will then have the question put to them of agreeing to the treaty as we have amended it. So the question presented is not whether we shall undertake to upset a treaty that is concluded, but it is whether, while the treaty is under consideration, we shall insist upon a just amendment being written into it.

This treaty is not an accomplished fact, so far as we are concerned, until the United States shall act. If the United States amends this treaty by providing that Shantung shall go to China, and the other nations refuse their assent to the treaty as thus amended, then the treaty does not bind us and the treaty does not bind any other nation unless those other nations see fit to make a treaty disregarding and leaving out the United States altogether; and if the other nations see fit to make a treaty with Germany disregarding and leaving out the United States altogether, then well and good, we will make our own treaty, and when we make it we will not agree to furnish the men and furnish the money to fight the wars of these other nations.

If this treaty is already settled, as the Senator argues; if it is an accomplished fact, as the Senator argues, why do we sit

here deliberating upon a thing already done? What is there left for us to do, if it is already an accomplished thing? What reason is there for us to adopt it, if it is an already accomplished thing? Is it the position of the Senator and of those who share his views that the United States has nothing to say; that we have been put out on a limb, to use a common expression, and the limb sawed off between us and the tree; or is it a fact that this treaty is still before the world and that we are performing an important function with reference to it when we sit here deliberating and when we propose to vote upon it? What utter and sheer nonsense it is for us to spend our time deliberating about this treaty if it is already accepted! What use is there to talk about amendments or reservations if the thing is already a fixed fact? What good will a reservation be, what virtue, to a thing we can not change, an immutable, unchangeable thing already accomplished and fixed? The Senator overlooks that.

My view is that this treaty is still before the Senate of the United States; my view is that if the Senate of the United States amends this treaty it will go back; and when it goes back the other nations of the world will then either have to accept our views or they will have to make a treaty to suit themselves, and we will be at liberty to make one that suits us. So when the Senator argues in one breath that we can alter the situation by a reservation, and in the next breath that we can not alter it by an amendment because it is already fixed and settled and beyond our control, it seems to me he is not in a very logical position.

Mr. SPENCER. Mr. President—

The PRESIDING OFFICER (Mr. BRANDEGEE in the chair). Does the senior Senator from Missouri yield to his colleague?

Mr. REED. I yield to my colleague.

Mr. SPENCER. Am I not right and does not my distinguished colleague agree with me in the statement that when three of the principal allied or associated powers agree to this treaty it becomes an accomplished treaty? And, even though we never acted upon it, is it not a treaty every provision of which with regard to Germany and with regard to Shantung, which the Senator is now discussing, would be actually accomplished? Am I wrong in that?

Mr. REED. The Senator is right in the position that the treaty recites that when it has been approved by three of the principal powers it shall become effective and peace shall ensue; but the Senator does not mean to say that three of the powers can bind the rest of the world to that treaty? They can bind themselves, and three of the powers have bound themselves; but the United States is not bound. She is at liberty now to take such action as she sees fit; and if the United States should disagree to this treaty altogether and reject it, there would be world peace, except that nominally there would not be peace between us and Germany, although there would be in fact. But while that is true, does the Senator differ from my statement when I say that if the United States amends this treaty now it will go back to the other nations, and that if it does go back to the other nations they will then have their option to accept our amendments or to reject our amendments, and if they do reject our amendments we still are free then to act?

Mr. SPENCER. Mr. President, I quite agree with the senior Senator from Missouri; and it is for the very purpose of preventing, unless it is absolutely necessary, such amendments as will carry the treaty back that I prefer the reservations. I think perhaps the Senator would like amendments that do carry it back, but in that I am not in agreement with him.

Mr. REED. In other words, the Senator, recognizing that this treaty is now effective as between these nations who signed it, and that it contains this enormity, does not want to send it back so that the cancer may be cut out, but he wants simply to put in a reservation saying that we are not a party to the cancer. Well, Mr. President, I want to give them a chance to cut it out, and I want to make them cut it out. What we need is a little more American nerve and not quite so much acquiescence in the demands of other countries.

Mr. SPENCER. Mr. President—

The PRESIDING OFFICER. Does the Senator yield further?

Mr. REED. I do.

Mr. SPENCER. I want to express, in a word, my concurrence in the cancerous nature of the situation. The difference between my distinguished colleague and myself is this: He thinks that that cancer can be best removed by an amendment, and he proposes to give the other nations the chance to cut out the cancer.

Mr. REED. To make them do it.

Mr. SPENCER. To make them do it. I think the cancer can be best removed not by sending the treaty back but by leaving

the situation in such a condition that the United States itself is free to act in regard to the removal of that cancer later on.

Mr. REED. Mr. President, we will be free to act in what way? We will have ratified a treaty that expressly approves the theft. We will have breathed, or will have helped to breathe, the breath of life into the treaty that guarantees to Japan the loot. Then we propose to say, after having done that, "We reserve, for the sake of conscience, an approval of it."

Mr. President, either a reservation means something or it means nothing. If a reservation has any potentiality whatsoever, then the United States is protesting against this great wrong; and if she protests against this great wrong the time to right it is when the contract is being made, and not later.

The Senator is a distinguished lawyer. The Senator never yet was confronted with a situation where a party said to his client, "I am going to restore this property to you, but I am going first to insist that you shall sign a deed of it to me," and under those circumstances advised his client to make the deed. He has invariably said, if he was ever confronted by that situation, "If you are going to restore this property, then, instead of your requiring a deed from my client to you, you ought to make a deed to my client," and now is the time to settle these matters.

The Senator says, however—and this is the part of his argument I want to dwell on for a moment—that if the United States adopts his amendment, the United States then becomes bound, practically, to go to war to make it good. Mr. President, when the United States adopts this amendment she passes the amendment back to the other nations of the world and asks them to accept it. If they do accept it the wrong is righted. If they do not accept it the United States is bound to nothing. She has simply expressed her abhorrence by an amendment. If we adopt this amendment to-day, and the other nations of the world refuse to ratify and confirm it, we are bound to nothing. The Senator surely knows that. The league of nations, the assembly of nations, this association of powers, will be bound, if they ratify it and it becomes a living thing, to see that Japan does the thing that they say shall be done; but if they do not do that, then all we have done is to adopt an amendment which is dead or dies because the other nations of the world refuse to concur in it.

Mr. COLT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. REED. I do; yes.

Mr. COLT. As I understand the situation, I might say to the Senator, if the treaty consisted of 12 articles, one of which the United States did not agree to, and we ratified the treaty as to 11 articles, it would be only a partial ratification of the treaty on our part. When we do it by a reservation it leaves the 12 articles in full force between the other parties. When, however, we make a textual amendment, we make in fact a new treaty, and it must be submitted to all the other signatories.

I thought the Senator was perhaps a little strong in the statement that if we ratify the treaty with reservations we ratify the treaty and the whole of it. That is not true. It is only a partial ratification upon our part. I so understand it.

Mr. REED. The Senator and I do not disagree. We may disagree about phraseology, but not about the thought. Of course, if we ratify the treaty outright, we have consented to all of it. If we reject it outright, we have rejected all of it. If we amend it, we have then ratified the treaty with amendments, and it must go back to the other powers for their agreement to the amendments. If we merely put in a reservation, we leave the situation in this wise—that all the wrongs and all the villany and all the crimes remain. We are no longer in a position even to protest against them. We have consented that the instrument shall be a living instrument; but we say that, as far as we are concerned, we will not be a party to the wrong, which, however, becomes consummated.

Mr. COLT. I understand that.

Mr. REED. Now, I am not willing that this treaty should contain these wrongs. I want to employ the only opportunity we will ever have to take them out. I do not want them to exist. I want the treaty to go back, and I want these nations to have the pressure of the United States put against them, so that we may prevent these international crimes.

And why should we not send it back? What is the reason why it should not go back? What is the delicacy of the situation that makes it so that the United States can not ask for the reassembling of a body that is already assembled? There has been talk about reassembling the peace conference. The peace conference is in session now. The representatives of all these nations are there, and this question or any question can be placed before them. If not, what utter nonsense it is for us to

pretend that we have any right to say anything or do anything! If it is impossible to assemble these gentlemen, then we ought to take this work as it was handed to us and swallow it, or else we ought utterly to reject it.

Why is it that Senators fear to reassemble these nations? They are assembled; I use the term "reassemble" because it has been used so often. Will it make any difference with Germany? Germany has already yielded these rights, and it is a conceded fact that Germany has nothing to say about them. It will make some difference to Japan. That is the only nation it will affect.

That brings me to a consideration of this Japanese proposition.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Montana?

Mr. REED. I do.

Mr. WALSH of Montana. Before the Senator goes to that, I think the Senator has very accurately stated the situation that would result if this amendment were adopted. If it were accepted by the other signatories to the treaty, of course the situation would be solved. If it should not be accepted, I think the Senator has correctly stated that the treaty would stand as between the three powers and Germany, and we would be forced obliged to negotiate a separate treaty with Germany.

Mr. REED. Yes.

Mr. WALSH of Montana. I desire to inquire of the Senator whether that situation gives him any anxiety whatever?

Mr. REED. Not the slightest; not the slightest.

Mr. WALSH of Montana. I imagined as much, because I could not understand his desire otherwise to attach amendments to the treaty which would amount to a rejection.

Mr. REED. I can see no reason why it should give anybody anxiety. Let us see what we need, as far as we are concerned, in our dealings with Germany. Suppose we were to say to Germany: "We want from you, so far as the United States is concerned, in a separate treaty, everything you have agreed to give the United States in the treaty you negotiated." Now, what would it be? Not a dollar of indemnity; not a ship, except these merchant ships that we took here during the war; not a foot of territory.

Mr. WALSH of Montana. Can the Senator give us any idea of the value of those?

Mr. REED. Well, about the amount that it took us to furnish shells for five minutes in one good battle.

Mr. WALSH of Montana. That amounts to how much?

Mr. REED. Oh, I do not know.

Mr. WALSH of Montana. It amounts to something like a hundred millions, does it not?

Mr. REED. Possibly. We give that away every day here. [Laughter.] Is the Senator alarmed about that? Does my distinguished friend mean to say to me that Germany would hesitate in making peace with us, to tell us to keep these old tubs? I will not say "old tubs." They were fairly good vessels of an obsolete type.

Mr. WALSH of Montana. Yes; I think the Senator ought to revise that statement; but I will say to the Senator that, however he may feel about it, I have no disposition whatever to make a present of a hundred million dollars or \$1,000,000 to Germany.

Mr. REED. I have not any disposition to do it, and I have not said so, and the Senator did not so understand me, either.

I said that Germany would not hesitate one second, in order to have peace and good will reestablished with this country, to let the ships go as they go now. There is nobody going to be deceived by that argument. Is the United States selling her birthright of honor for this mess of pottage? Are we afraid to do an act of justice to the world because, if we made a separate peace with Germany, she might say, "We will not give you this hundred million dollars," if that is the amount, when, as a matter of fact, she has no option except to do it? The good will of the United States, the fact of having peace with the United States, is worth more than a hundred million dollars to Germany in one month's time, aye, in one hour's time. There is nothing in that. Nobody will be deceived by it.

What is there, then, that makes gentlemen fear making a separate peace with Germany if the other nations of the world should refuse to accept our amendment?

Mr. WALSH of Montana. Mr. President, I will ask the Senator just one more question. All our troops, with insignificant exceptions, are now withdrawn from the seat of war. We would be in exactly the same situation if we were to negotiate a treaty of peace with Germany as if all the military forces had been withdrawn from the area of conflict immediately upon the cessation of hostilities. I inquire of the Senator whether he would

be willing to proceed to negotiate a treaty of peace with Germany on that basis?

Mr. REED. Mr. President, there is no use answering a part of that question. But let us look at the situation just as it is now. All of our troops are withdrawn from Germany, and Germany has not any troops over here that I have heard of. So the two nations would stand at arm's length. We have Germany's ships, and that is all we are ever going to get, and it is all we have ever asked.

Now, the question that is presented to this bankrupt nation, this half-starving nation, to which we have had to send food, is this, "Do you want to make peace with the greatest power in the world or do you not?" Do you think that Germany would hesitate a minute because our troops are withdrawn?

Mr. WALSH of Montana. Mr. President—

Mr. REED. One moment.

Mr. WALSH of Montana. I want to correct a statement made by the Senator.

Mr. REED. I want to finish the statement; then I will submit to the correction. The Senator from Montana says our troops are withdrawn from Germany. Our troops, unfortunately, are not withdrawn, and under the treaty we are making we are to keep American troops on German soil for 15 years. They are recruiting boys now for service in foreign parts, and the contract expressly specifies it.

Mr. WALSH of Montana. I do not care to answer that statement, Mr. President; but I desire to correct the statement of the Senator that the ships we took from Germany are all we have asked for or all we get.

Mr. REED. What else do we get?

Mr. WALSH of Montana. We get \$750,000,000 worth of property which the Alien Property Custodian has taken from German citizens.

Mr. REED. We have that.

Mr. WALSH of Montana. Yes; we have that.

Mr. REED. And Germany has not any army to come and get it back.

Mr. WALSH of Montana. No; she has not; but we have it.

Mr. REED. Yes. Does the Senator from Montana mean to tell the Senate and the country that for those considerations the United States ought to hesitate, for fear that Germany will not make peace with us? Germany stands with her arms extended begging peace. We are not the people who need fear Germany. If there is any hitch in the making of peace with Germany, it is not the United States that need be fearful; it is France and England and Italy, the countries that are near by. That is one of the reasons why I think those countries might accept our amendment. We alone of all the nations stand in a position where we can not be hurt, unless we enter into a compact that hurts us.

Mr. WALSH of Montana. Just one more interruption and I will not trouble the Senate further.

Mr. REED. Certainly; I yield.

Mr. WALSH of Montana. I agree fully with the Senator that we are in a most advantageous position from financial and other similar considerations in negotiating a treaty of peace. But why does the Senator want to throw away every advantage that we acquired by reason of the military victory over Germany?

Mr. REED. We are not throwing away a single advantage. What advantage are we throwing away? I am speaking from the standpoint of the United States. You tell me that the treaty is already in effect. You say that Germany has already made her peace with all the other nations of the world, and you say that the treaty is acceptable to her. If the United States were not to sign that treaty, it would still stand. But if we send it back with an amendment, and the other nations see fit to accept that amendment, then there will be that much good done to the world. Let us see. Germany has not a thing to say about that. That was admitted by the President. Germany is not a member of the league of nations. Germany has signed away Shantung. What we are asked to do is to dispose of Shantung and to ratify and confirm the transfer to Japan. There is nothing in those arguments.

It was argued here by a Senator, for whom I have the most profound respect, that if we refuse to consent to this transfer and to ratify and confirm it Japan may refuse to come into the league of nations; she may refuse to become a partner in the regeneration of the world. That is to say, in order to get Japan to join in this effort to uplift the world, in order to get her to be a partner in this association that proposes to wipe out all international inequalities and injustices and to produce a reign of equity, we must bribe her by turning over to her her ill-gotten gains and guaranteeing them to her. What kind of a partner is that going to be? If I am going to organize a

church I do not want any gentleman to join only upon the consideration that he shall be bribed into his membership. That is not the kind of men to make churches with.

If you are going to organize a partnership of the nations of the world for the purpose of producing universal justice, then you can not bring into this partnership any nation that is so debased that it will not join unless it is guaranteed its ill-gotten wealth. I would rather have a pirate nation outside than a pirate nation inside. I do not want to sit at the same table and consult with and submit to the votes and the decisions of a nation that will only join provided it is allowed to have its crimes recognized and justified and guaranteed.

It is a strange sort of argument that we are hearing here. If that nation is so selfish, so brutalized, so criminal as it has been pictured, then instead of admitting it into the household we ought to bar our gates against it. We ought to preserve our own councils against it. You can not take a lot of savages and transform them into saints by bringing them into this compact, and certainly you can not when they tell you that they will not come in unless they are permitted to keep their international stealings.

Now, we are asked to sanctify this proposition; we are asked to justify it, and we are told that if we do not do it Japan may stay out; that she may join Germany; that she may join Russia. If Japan is that sort of treacherous thing, then in the name of Heaven why should we take her into partnership? Do you gain anything by admitting the enemy and the traitor and the conspirator into your own councils and your own home? That argument ought to exclude Japan as an undesirable and a dangerous factor in the life of the world.

Then we are told that we are powerless to help China. Mr. President, if we sign this treaty without amendment, we will be powerless to help China. Now is our one chance to help China, and to help her without a great and bloody war. Now is our chance to say that the United States refuses to concur in this treaty unless at this time, at the moment of signing and as a part of the exchange of documents, Shantung shall be delivered back to China. If we do that, it does not involve us in war. If the other nations accept, then this great wrong is done away with and all cause for war in the future between China and Japan will have been removed and all cause for war between us and Japan or any other nation concerning that great wrong will have been removed.

But if you sign the treaty as it is now and turn this great Province over to Japan, then you have that question before you, you have that great world irritant fastened in the international body. You have the certainty that if China is ever able to rise from the dust she will strike, and when she does that many nations may be drawn into the conflict. For the safety of the world, for the preservation of peace, for the settlement of this controversy when it can be settled—for all those considerations, the amendment ought to be adopted.

Now, what is the amendment? The amendment proposes that Japan shall do now what she professes she is going to do tomorrow or some other day in the near future. She has never made a statement yet that binds her Government, but she has made statements to control the opinion of the world. She says in those statements, "Give us a good title, then we will graciously give it back some day." If she is in good faith about that, now is the time to do it, when the contract is being made. If we do not do it now, then the question is an open one. Then comes the question, What can the various nations of the world do about it? If we accept the league of nations that is adopted, we will assume that China files her complaint before the league of nations, and the league undertakes to deliberate upon it. Japan will lay down as her muniment of title a solemn treaty confirming her in the possession of this property, and when China undertakes to reply she will be able to put in evidence only the oral statement made by some Japanese statesman. Japan has not by an official act declared what she will do, so China will lose her case for that reason, and, as I said yesterday, she will lose it for another reason, that the most potential nations represented on the council will be the nations who have signed the secret pact, who themselves are responsible for this situation.

But suppose, sir, that the league of nations, just as it stands now, would undertake to decree that Japan should turn this property back to China, then what? I am speaking now of the possibilities of war. If Japan is now in such temper and is made of such material, if she is ready to conspire with Germany against her associates, if she is ready to conspire with Russia against her associates, she will, in the case I have supposed, carry out that conspiracy, join those great nations who are outside of the league. There are over 50,000,000 more white

men outside of the league than are inside of it, and she will join in an alliance and in an agreement with them. Then look for a world war indeed!

If Japan will not do justice now, we can not trust her in the future. If, with their armies and their navies intact, and if, with Japan now having great gains to be made through this war outside of Shantung, with Japan professing unofficially to do justice to-morrow or the next day or next year, we can not now secure from Japan a fair deal and a fair understanding, then beware of what we will be able to do under the league of nations; beware of the conduct of Japan in the future.

Mr. President, Japan can be handled to-day. I say to you that if you consummate this robbery Japan can not be handled to-morrow. Why do I say that? She has approximately 50,000,000 people. She has taken over Korea with 20,000,000 people. If she acquires Shantung she gets 40,000,000 more of people, making 110,000,000 of people drawn under the authority of this—and I use the oft-repeated expression—Prussian of the Orient, with her fatalism, with her cruelty, with her indomitable will, with her towering ambition. Not only does she gain control of these 40,000,000 Chinamen, but she gains practically the key to all China, and you have opened there for her an empire of conquest and a sphere of influence such as the world has hardly dreamed of before.

Fifty years is a short time in the life of nations. Give to Japan 50 years to work upon that material, with the power to Japanize—if I may use that adjective—these Chinese populations, and you will have created a yellow peril indeed. You will have brought together this mighty host of yellow men—I am assuming that Japan is successful in holding these possessions—and you will have created a menace that will cause not only Europe but the United States to have great reason for fear.

The proposition is that Japan to-day is so powerful that we can not make her do justice at this time, hence we will make her much more powerful in the hope that at some future time, by a tribunal that we are setting up, we can get her to do justice. The long line of international treachery which the world has witnessed ought to give us a lesson. When England entered this war Lloyd-George said England did not propose to demand a single foot of territory; but Great Britain has absorbed more territory through this war than Rome ever gained in a similar period of time. When England entered Egypt she protested to high heaven that she did not intend to acquire that territory. The language was read here to-day. But in a few years' time England's clutch grew tighter and she had taken over the control of Egypt. She has now entered upon a similar course of conduct with reference to Persia. England, through this war, with her other possessions, now drives her railroad from the cape to Cairo on English soil. Possibly that may not be a bad thing for the world; but it illustrates how little confidence can be placed in the statements that nations do not propose to take territory or that they propose to yield the territory already in their possession.

Japan has repeatedly promised to restore the possessions she has taken, and she has broken every promise that she has made to China or made to the world. The history of mankind is that when nations gain possession of lands they keep them, if they have the power to keep them.

When we gave Cuba the right of self-government—we came very near giving her complete self-government—we furnished about the only example in modern history at least of a nation ever relinquishing territory. In that case we had not gone in as conquerors, but simply as friends. We have not been able to let go of the Philippines yet. The spirit of keeping ground is strong in the human heart.

If Japan intended to give back this property to China, she would give it back now. Only children are really fooled by the professions of a man or of a nation that says, "We propose to give back the thing we are taking, but before we give it back you have got to certify a title to us." If she is going to give it back, why does she need the title certified? Why does she need to have it sanctified and sanctioned and made pure?

If we make this amendment, it may be that when the treaty goes back Japan will snap her fingers and say to all the world that she disregards their will, that she proposes to keep this land and these people. If so, one of two courses will be open. One will be for the nations to undertake to enforce by war the liberation of China. I do not think any such obligation rests upon us. We did not make the conditions and we are under no obligation to send troops there to carry them out. The other course would be, or at least the result would follow, that we would know the heart of Japan; we would know what is her purpose now, and the world would stand on guard against them.

It is a singular thing to find the Senate of the United States solemnly debating the question whether it ought to do what is right for fear that it might offend a nation by not according to that nation the privilege of keeping its stolen property. So far as I am concerned, I do not fear Japan to-day, but if you make her the monarch of the Orient, her Emperor the master emperor of all the yellow men she can gather by force of arms, you can create a force there before which the world may well tremble.

Mr. President, I only intended to reply to my colleague. I have talked too long on this matter, but I protest that it is a shameless thing to stand here and say that this is a great wrong and yet vote for that wrong.

Mr. LENROOT. Mr. President, the appealing arguments of the senior Senator from Missouri [Mr. REED] and of the Senator from Idaho [Mr. BORAH] for the adoption of these amendments are not very persuasive to me when I consider the fact that, even though these amendments and all of the other amendments and reservations proposed by the committee shall be adopted, if I understand the position of those Senators correctly, they will then vote to reject the treaty. It seems to me their position is that during the consideration of this treaty as in Committee of the Whole they are very solicitous for the protection of China, but when it comes to the final act of voting upon the resolution of ratification they will abandon China to her fate.

I thoroughly indorse everything that has been said in denunciation of the articles of the treaty with respect to Shantung; I indorse what the Senator from Idaho said, that we were not in honor bound to give any recognition to the secret pacts out of which these articles in the treaty grew. I will go further, Mr. President, and say that, in my judgment, we are in honor bound to refuse to give any recognition to these articles in the treaty; but I do not believe that it should be done in the manner it is now proposed to do it. I believe it ought to be done by the Senate declaring in the resolution of ratification that it withholds its assent from all of the provisions in the treaty relating to Shantung and reserves to itself full liberty of action with respect to all matters that may arise thereunder. I want to assure the Senate that they will later on have an opportunity to vote for such a reservation. If no other reservation is proposed, I shall offer a reservation substantially in this form: The United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy that may arise under said articles.

It is immaterial to me what form the reservation takes, provided that when we come to vote upon the resolution of ratification we do not vote to agree to these articles with respect to the cession of Shantung and reserve to ourselves full liberty of action with respect to any matter that may arise under these articles.

Mr. THOMAS. Mr. President—

Mr. LENROOT. I yield to the Senator from Colorado.

Mr. THOMAS. Will the Senator again read his proposed reservation?

Mr. LENROOT. As I stated, I am only suggesting the substance of what I believe would be a proper reservation—that the United States withholds its assent to articles 156, 157, and 158, and reserves full liberty of action with respect to any controversy that may arise under said articles.

Mr. BORAH. Mr. President, may I ask the Senator a question?

Mr. LENROOT. Yes.

Mr. BORAH. I have very great respect for the Senator's judgment in regard to this matter. As I understand the Senator, he takes the position that the United States by some process should relieve itself wholly and absolutely from any obligation to enforce this portion of the treaty?

Mr. LENROOT. We certainly should do that; but, in addition, we should be perfectly at liberty to assist China at some time in the future if we saw fit to do so.

Mr. BORAH. The question which I desire to ask the Senator is this: What is the difference, then, so far as the substance is concerned, between the position which the Senator takes and that taken by me? His reservation is, in effect, an amendment, is it not?

Mr. LENROOT. It is not.

Mr. BORAH. Of course, technically it is not; but the moral effect of it must be the same.

Mr. LENROOT. Well, let us see—and that is what I was about to discuss—

Mr. BORAH. Very well.

Mr. LENROOT. Let us see the difference between that kind of a reservation and the amendment proposed by the committee.

The amendment proposes to strike out in the articles the word "Japan" and to insert the word "China," so as to make the cession from Germany to China instead of to Japan. As the junior Senator from Missouri [Mr. SPENCER] has said, the treaty during the present week has come into full life, so far as the parties are concerned who have ratified it. The treaty at this moment is in full effect between the British Empire, France, Italy, and Germany, and it is safe to say that before the treaty passes out from the Senate, whether it be ratified or rejected, Japan also will have ratified it. Whatever may be said with reference to the cession from Germany to Japan being effective at this date—which is a question I do not care to argue to-night—it certainly will be effective just as soon as Japan ratifies the treaty, so that every concession that Germany has in Shantung will have passed to Japan before the Senate votes upon the resolution of ratification.

What is proposed, then, by the amendments? Although the title of Germany will have passed from Germany to Japan, the amendments would provide that Germany shall agree to cede to China something that she has already ceded by quitclaim to Japan. I insist that this amendment can not be accepted by the British Empire, by France, or by Italy without the consent of Japan.

Mr. BORAH. What, then, is the legal effect of the Senator's reservation? What does it accomplish? What does it do with reference to this territory? Where does it leave us?

Mr. LENROOT. The reservation leaves the United States not a party in any way to that which I believe is correctly denominated a crime. If we do not become a party to it, we will be at liberty in any way that the American people and the United States Congress may determine at any time in the future to assist China in her claims to Shantung.

Mr. BORAH. In any event the result is that Japan is left in absolute possession of Shantung. The reservation does not change the status at all.

Mr. LENROOT. It does not; and neither does the amendment, if adopted by the Senate.

Mr. BORAH. In other words, we simply refuse to hold the lantern while the burglary is taking place.

Mr. LENROOT. But the burglary has taken place, and the amendment does not change that fact, unless Japan consents to it.

Mr. BORAH. Precisely so; but the Senator's reservation does not require the treaty to be sent back for the action by anybody.

Mr. LENROOT. It does not.

Mr. BORAH. So it is a moral certainty that the situation will remain permanent, and the only thing we will accomplish by the reservation is to say that we do not like the transaction.

Mr. LENROOT. That is true; that we do not approve it and are not a party to it. The Senator, I am very sure, is convinced, as I am convinced, that if this treaty is sent back, with the British Empire having agreed to this cession—I am not speaking of secret treaties, for I indorse wholly what the Senator from Idaho has said with reference to them; I believe that every one of them was abrogated by the acceptance of the 14 points—the British Empire, France, and Germany, by signing and ratifying the treaty, having agreed to this cession to Japan, they can not undertake honorably, after having made that agreement in this treaty, to accept any amendment changing the status unless Japan is willing to accept it. Does the Senator from Idaho think that Japan, being in possession, having the assent of the great powers named, having the title that Germany had to Shantung, is going to assent to such an amendment?

Mr. BORAH. Perhaps not; but, Mr. President, the only possible way by which we can force Japan, Great Britain, and the other countries to reconsider this matter is by an amendment.

Mr. LENROOT. But those countries can not honorably reconsider the matter without the consent of Japan.

Mr. BORAH. But being as they were not honorable in doing the thing, they may be willing to do an honorable act by reconsidering a dishonorable act.

Mr. LENROOT. Then the Senator's position is that, having done a dishonorable thing in insisting upon the Shantung provision, they might be expected to do another dishonorable thing in disregarding the word they have given in the treaty.

Mr. REED. Mr. President, will the Senator permit a suggestion?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LENROOT. Yes.

Mr. REED. If it is true that the nations are now so far committed that they will not at this time, when the question is

still open, do justice to China, what chance does he think China will have in trying the case before the league of nations on her appeal to have Shantung restored to her?

Mr. LENROOT. I would prefer that the Senator ask some Senator who has more confidence than I have in the efficacy of the league of nations with respect to such a controversy.

It is true, Mr. President, that the United States and all of the other nations may later insist upon Japan carrying out her agreement to restore Shantung to China; but, with the reservation that I suggest, we do not participate in this crime; we are exactly, sirs, in the position which some Senators have asked us to occupy when you asked us to reject the treaty and make a separate peace with Germany, or pass a joint resolution declaring the war at an end. Where would Shantung be then?

The fact is, and we might as well face it very frankly, that we are confronted with the proposition that if we adopt these amendments the United States is out of the treaty entirely; that is the issue. I can not give my consent to the position that I am unwilling to make peace with Germany unless Shantung is restored to China. Other Senators may take that position if they choose; but I will not do so.

I must confess, Mr. President, that it seems to me some Senators are very inconsistent in the position they are taking with reference to these articles of the treaty. The Senator from Missouri made a most eloquent appeal concerning the duty of the United States to right this great international wrong, and, if I remember his language, he said the United States ought to use some "nerve" about it; and yet, if I recollect aright, the Senator is one of those who has steadily advocated—and I have been very much in agreement with him—that we ought not to interfere or meddle in quarrels in Europe.

Mr. REED rose.

Mr. LENROOT. Just a moment. If I remember aright, the Senator from Missouri voted for every one of the so-called Fall amendments, which were designed to prevent representation on the part of the United States on all the commissions provided for in the treaty with relation to boundaries in Europe and in connection with many other questions there, leaving to the countries in Europe perfect freedom to commit any international wrong that they might see fit to enter into without any protest or concern of the United States. Now I yield.

Mr. REED. Mr. President, just to get the matter right, if the Senator will permit me, I desire to say that I was not here when the Fall amendments were before the Senate.

Mr. LENROOT. Then I ask the Senator's pardon.

Mr. REED. But if I had been present, I was in favor of those amendments and would have voted for them. I simply make the statement for the sake of having the record complete; there is no difference in principle. But the Senator's statement of my position on this particular matter is a little inaccurate. I did not say that it was our duty to right the wrong of China in the sense the Senator puts it. I did say that it was our duty when we were making peace to try to right that wrong in the treaty, but not that we should interfere in such affairs hereafter. Now, mark you, the difference: We have here a peace treaty which requires affirmative action upon this question. Instead of taking that action so as to turn the citizens and property of China over to Japan, I am in favor of taking that action so that the citizens and property of China shall remain the property of China. That does not mean that I am trying to interfere in the affairs of Europe. I am trying to prevent this treaty being adopted as it is, and, as it is, it does interfere. So the Senator can not fairly state that I am in any contrary position. I want to keep out of the quarrels of other nations; I want to let them settle their own difficulties; but here we are making a treaty, and in the treaty we propose to deal with a certain subject. The question is, How shall we deal with it; shall we give this property to Japan or shall we try to have it retained by China?

Mr. LENROOT. I can not yield further, Mr. President.

Let us see just a moment as to whether the Senator is exactly accurate in the attempted distinction between the two positions.

He says that he wants to keep out of Europe. He says that if present he would have voted for all of the Fall amendments relating to boundaries growing out of this very war. By voting for the Fall amendments he would have said, "I want to have the United States have nothing to do with European affairs." Now, that is the position that I am taking with reference to Asia by this reservation. But the Senator, when it comes to Asia, takes an entirely contrary position. When it comes to Asia he says, "While I want the United States to keep out of Europe, I want the United States to dictate what shall be done in Asia"; and I say that is an inconsistent position. I think we ought to take the same position with reference to both, that we ought not to dictate to either; and if the United States is going to attempt

to dictate boundaries, either in Asia or in Europe, it ought to be prepared to use the force that is necessary to defend the boundaries which it has dictated. That I am not willing to do, and neither do I think the Senator from Missouri is, and that is why I am not going to vote to dictate what shall be done with Shantung. I propose, however, that the United States keep out of that, not assenting to it, refusing to assent to it, leaving the United States free to take such action in the future with reference to that question as to it may seem just.

Mr. LODGE. Mr. President, before the Senator takes his seat, I think he did not quite state the difference between the effect of an amendment and the effect of a reservation. I am not going into an argument as to whether or not we ought to interfere in Shantung, although I draw a distinction between Asia, where we are an Asiatic power, holding the Philippines, and Europe, where we have no interests whatever; but my point is this:

Suppose we adopt this amendment. Either they would have to agree to that amendment, or we should not be parties to the treaty.

Mr. LENROOT. That is true.

Mr. LODGE. They would have to choose between us and Shantung.

Mr. LENROOT. Yes; they would; and that leads me to say, Mr. President, that it seems to me it ought to be clear to every Senator in the present situation that the adoption of this amendment means the killing of the treaty, because it ought to be plain that Japan is not going to consent to the amendment, and the British Empire and France and Italy can not consent to the amendment without the consent of Japan. I want to say, Mr. President, as I have said before on this floor, that unless the United States is protected from many of the onerous obligations that this treaty imposes, I propose to vote for the rejection of the treaty; but I prefer to do it outright, with a vote against the treaty, than to vote for an amendment that in my judgment is sure to kill it.

Mr. LODGE. Mr. President, I only want to say a word and then I am going to move a recess, because there are several Senators who want to speak on this matter before a vote is taken.

Mr. REED. Will the Senator, before he calls for a recess, permit me just a word? I want to say it before we take a recess, in about two minutes.

Mr. LODGE. I should like to finish.

Mr. REED. I simply want to say this—

Mr. LODGE. Mr. President, I rather object to being taken off the floor.

Mr. REED. Oh! I thought the Senator had yielded.

Mr. LODGE. No, Mr. President; but I will yield to the Senator in a moment. I wanted to say something in conclusion to the Senator from Wisconsin.

Mr. REED. Very well.

Mr. LODGE. That is, that he never will see the day, and we never shall see the day, when Europe refuses to let the United States come into this treaty on any terms the United States says. Without the United States it is a house of cards, and we can dictate what we think right and honorable to-day if we choose; but when we are once snarled in the league we can not do it, so that it behooves us to move carefully.

I yield to the Senator.

Mr. REED. I beg the Senator's pardon. A moment ago I thought he had made a motion with his hand for me to proceed.

All I want to say is this: The Senator from Wisconsin and I get along so well together, and he is so fair a man, that I do not want him to leave me, or try to leave me, in the position of taking contradictory positions.

Here is the great difference between the Fall amendments and this Shantung situation: In the Fall amendments we were dealing with European nations and with European peoples. We were dealing with our enemies and with our enemies' countries. The Shantung amendment is proposing to sanctify the looting of our ally, and to that ally we owe a very high duty. There is a distinction that warrants a difference of attitude.

Mr. BORAH. Mr. President, before the Senator from Massachusetts moves to take a recess, in reply to the able Senator from Wisconsin as to the apparent inconsistency of our voting for this amendment and then voting to defeat the entire treaty, I desire to say to him that in my humble way every possible vote that I can cast anywhere along the line in the hope of defeating it I am going to cast.

Mr. LENROOT. Oh, I do not question that.

Mr. LODGE. Mr. President, I ask permission to have printed in the RECORD and as a public document for the use of the Senate a compilation of all reservations placed on all treaties

hitherto by the Senate of the United States. I think Senators will find it useful for reference.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

[Senate Document No. 135, Sixty-sixth Congress, first session.]

COMPILATION OF TREATY RESERVATIONS.

A compilation of all reservations placed in all treaties hitherto by the Senate.

Treaty of peace, amity, commerce, and navigation with Korea concluded May 23, 1882.

January 9, 1883: Reported by Mr. Windom.

On motion of Mr. Windom, and by unanimous consent,

The said treaty was read the second time and considered as in Committee of the Whole, and, no amendment being made, it was reported to the Senate.

Mr. Windom submitted the following resolution for consideration:

"Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the treaty of commerce and navigation between the United States and the Kingdom of Korea, or Chosen, concluded on the 22d of May, 1882.

"Resolved, That it is the understanding of the Senate, in agreeing to the foregoing resolution, that the clause 'Nor are they permitted to transport native produce from one open port to another open port,' in Article VI of said treaty, it is not intended to prohibit and does not prohibit American ships from going from one open port to another open port in Korea, or Chosen, to receive Korean cargo for exportation or to discharge foreign cargo; and

"Resolved, That the President be requested to communicate the foregoing interpretation of said clause to the Korean, or Chosen, Government on the exchange of ratifications of said treaty, as the sense in which the United States understand the same.

"Resolved further, That the Senate, in advising and consenting to the treaty mentioned in the foregoing resolutions, does not admit or acquiesce in any right or constitutional power in the President to authorize or empower any person to negotiate treaties or carry on diplomatic negotiations with any foreign power unless such person shall have been appointed for such purpose or clothed with such power by and with the advice and consent of the Senate, except in the case of the Secretary of State or diplomatic officer appointed by the President to fill a vacancy occurring during the recess of the Senate; and it makes the declaration in order that the means employed in the negotiation of said treaty be not drawn into precedent.

"Resolved, That the Secretary communicate all the foregoing resolutions to the President."

The Senate proceeded, by unanimous consent, to consider the said resolutions, and,

On the question to agree thereto,

It was determined in the affirmative, two-thirds of the Senators present having voted in the affirmative.

General act for the repression of African slave trade, signed July 2, 1890.

January 11, 1892: Mr. Sherman * * * reported it without amendment, accompanied by the following resolution:

"Resolved (two-thirds of the Senators present concurring therein),

That the Senate advise and consent to the ratification of the general act signed at Brussels July 2, 1890, by the plenipotentiaries of the United States and other powers, for the suppression of the African slave trade, and for other purposes.

"Resolved further, That the Senate advise and consent to the acceptance of the partial ratification of the said general act on the part of the French Republic and to the stipulations relative thereto, as set forth in the protocol signed at Brussels January 2, 1892.

"Resolved further, as a part of this act of ratification, That the United States of America, having neither possessions nor protectorates in Africa, hereby disclaims any intention, in ratifying this treaty, to indicate any interest whatsoever in the possessions or protectorates established or claimed on that Continent by the other powers, or any approval of the wisdom, expediency, or lawfulness thereof, and does not join in any expressions in the said general act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this resolution be inserted in the protocol to be drawn up at the time of the exchange of ratifications of this treaty on the part of the United States."

On motion by Mr. SHERMAN, and by unanimous consent,

The said general act (having heretofore been read the second time) was considered as in Committee of the Whole and no amendment being made it was reported to the Senate; and

On the question to agree to the resolution reported from the Committee on Foreign Relations,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Supplementary industrial convention concluded April 15, 1891.

March 8, 1892: Mr. Hiscock * * * reported the same without amendment, accompanied with the following resolution, viz:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of protocols 3 and 4, signed at Madrid April 15, 1891, by the United States and other powers, amendatory to the convention of March 20, 1883, for the protection of industrial property, subject to the reservation of the plenipotentiary of the United States in the international conference for the protection of industrial property at Madrid, as follows:

"The share allotted to the United States to contribute to the dotation of the international bureau is not to be augmented until the Congress of the United States shall have approved the augmentation.

"That articles 3 and 4 of the fourth protocol shall not go beyond what shall be established by the legislation of the United States."

On motion by Mr. Hiscock and by unanimous consent,

The protocols were read the second time and considered as in Committee of the Whole, and no amendment being made thereto, they were reported to the Senate.

On the question to agree to the resolution reported from the Committee on Foreign Relations,

It was determined unanimously in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Algeciras convention of 1906.

December 12, 1906: On motion by Mr. Cullom, the Senate proceeded to consider the same as in Committee of the Whole, and no amendment being proposed, it was reported to the Senate; and no amendment being proposed,

Mr. Cullom submitted the following resolution for consideration:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the general act and an additional protocol, signed on April 7, 1906, by the delegates of the powers represented at the conference which met at Algeciras, Spain, to consider Moroccan affairs."

Which, by unanimous consent, the Senate proceeded to consider.

Mr. Bacon reported from the Committee on Foreign Relations the following resolution:

"Resolved further, That the Senate, as a part of this act of ratification, understands that the participation of the United States in the Algeciras conference and in the formation and adoption of the general act and protocol which resulted therefrom, was with the sole purpose of preserving and increasing its commerce in Morocco, the protection as to life, liberty, and property of its citizens residing or traveling therein, and of aiding by its friendly offices and efforts in removing friction and controversy which seemed to menace the peace between powers signatory with the United States to the treaty of 1880, all of which are on terms of amity with this Government, and without purpose to depart from the traditional American foreign policy, which forbids participation by the United States in the settlement of political questions which are entirely European in their scope."

After discussion,

On motion by Mr. Hale that the resolution reported by Mr. Bacon be added as an amendment to the resolution of ratification,

It was determined in the affirmative.

On the question to agree to the resolution of ratification as amended, it was determined in the affirmative, two-thirds of the Senators present having voted in the affirmative. So the resolution as amended was agreed to.

Ordered, That the said resolution be laid before the President of the United States.

Convention for the settlement of international disputes signed at The Hague, 1907.

April 2, 1908: The Senate proceeded, as in Committee of the Whole, to consider the same, and no amendment being proposed,

After discussion,

It was reported to the Senate, and no amendment being proposed, Mr. Carter submitted the following resolution, which was considered by unanimous consent:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a convention signed by the delegates of the United States to the second international peace conference, held at The Hague from June 16 to October 18, 1907, for the pacific settlement of international disputes, subject to the declaration made by the delegates of the United States before signing said convention, namely:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State, nor shall anything contained in the said convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions."

"Resolved, further, as a part of this act of ratification, That the United States approves this convention with the understanding that recourse to the permanent court for the settlement of differences can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute; and the United States now exercises the option contained in article 53 of said convention, to exclude the formulation of the 'compromis' by the permanent court, and hereby excludes from the competence of the permanent court the power to frame the 'compromis' required by general or special treaties of arbitration concluded or hereafter to be concluded by the United States, and further expressly declares that the 'compromis' required by any treaty of arbitration to which the United States may be a party shall be settled only by agreement between the contracting parties, unless such treaty shall expressly provide otherwise."

On the question to agree to the said resolution,

It was determined in the affirmative, two-thirds of the Senators present having voted in the affirmative.

Ordered, That the Secretary lay the said resolution before the President of the United States.

Convention concluded at the second Hague peace conference held at The Hague, 1907, concerning the rights and duties of neutral powers in naval war.

April 17, 1908: On motion by Mr. Bacon, the Senate proceeded to consider the same as in Committee of the Whole, and no amendment being proposed, it was reported to the Senate; and no amendment being proposed,

Mr. Bacon submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the adherence of the United States to a convention adopted by the second international peace conference held at The Hague from June 15 to October 18, 1907, concerning the rights and duties of neutral powers in naval war, reserving and excluding, however, article 23 thereof, which is in the following words:

"A neutral power may allow prizes to enter its ports and roadsteads, whether under convoy or not, when they are brought there to be sequestered pending the decision of a prize court. It may have the prize taken to another of its ports."

"If the prize is convoyed by a warship the prize crew may go on board the convoying ship."

"If the prize is not under convoy the prize crew are left at liberty."

"Resolved further, That the United States adheres to this convention with the understanding that the last clause of article 3 implies the duty of a neutral power to make the demand therein mentioned for the return of a ship captured within the neutral jurisdiction and no longer within that jurisdiction."

Ordered, That the Secretary lay the said resolution before the President of the United States.

Convention respecting the limitation of the employment of force for the recovery of contract debts signed at The Hague, 1907.

April 17, 1908: On motion by Mr. Carter, the Senate proceeded to consider the same as in Committee of the Whole.

And no amendment being proposed, it was reported to the Senate; and no amendment being proposed in the Senate,

Mr. Carter submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a convention signed by the delegates of the United States to the second international peace conference held at The Hague from June 15 to October 18, 1907, respecting the limitation of the employment of force for the recovery of contract debts.

"Resolved further, As a part of this act of ratification, that the United States approves this convention with the understanding that recourse to the permanent court for the settlement of the differences referred to in said convention can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute."

Extradition convention with Portugal, signed May 7, 1908.

May 22, 1908: The Senate resumed consideration of the same as in Committee of the Whole, and, no amendment being proposed, it was reported to the Senate.

Mr. Carter submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of an extradition treaty between the United States and Portugal, signed at Washington on May 7, 1908.

"In giving this advice and consent to the ratification of the said treaty, and as a part of the act of ratification, the Senate understands that it is agreed by the United States that no person charged with crime shall be extraditable from Portugal upon whom the death penalty can be inflicted for the offense charged by the laws of the jurisdiction in which the charge is pending, and that this agreement on the part of the United States will be mentioned in the ratifications of the treaty and will, in effect, form part of the treaty."

Ordered, That the Secretary lay the said resolution before the President of the United States.

Ship canal treaty with Panama signed January 9, 1909.

March 3, 1909: On motion by Mr. Cullom, the Senate proceeded, as in Committee of the Whole, to resume consideration of the same, and no amendment being proposed it was reported to the Senate; and no amendment being proposed in the Senate,

Mr. Cullom submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a treaty between the United States and the Republic of Panama relating to the Panama Canal, signed January 9, 1909.

"Resolved as a part of this ratification, That the United States approves the treaty between the United States and Panama, with the understanding that so far as the United States is concerned no question shall be submitted to arbitration herein provided for which in any way affects the vital interests of the United States in the protection, operation, maintenance, sanitation, and protection of the Panama Canal."

Ordered, That the Secretary lay the said resolution before the President of the United States.

Agreement with Russia regulating the position of corporations and other commercial associations, signed June 25, 1904.

May 6, 1909: Reported favorably by Mr. Root:

On motion by Mr. Root, and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the said agreement, and no amendment being proposed, it was reported to the Senate; and no amendment being proposed,

Mr. Root submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of an agreement (Ex. D. 58th, 3d) between the United States and Russia to regulate the position of corporations or stock companies and other commercial associations, signed at St. Petersburg on June 25, 1904.

"Resolved, That the Senate advises and consents to the ratification of the said agreement with the understanding that the regulations referred to in the third paragraph in the agreement as existing in the several countries refer to and include on the part of the United States the regulations established by and under the authority of the several States of the Union."

Arbitration treaty with Great Britain, signed August 3, 1911.

March 7, 1912 (in open executive session): The treaty was reported to the Senate, and the amendments recommended in the Committee of the Whole were concurred in.

Mr. Lodge offered the following substitute resolution of ratification:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a treaty signed by the plenipotentiaries of the United States and Great Britain on August 3, 1911, extending the scope and obligation of the policy of arbitration adopted in the present arbitration treaty of April 4, 1908, between the two countries, so as to exclude certain exceptions contained in that treaty and to provide means for the peaceful solution of all questions of difference which it shall be found impossible in future to settle by diplomacy, with the following amendments:

"On page 3, line 4, after the word 'tribunal,' insert a comma.

"In the same line strike out 'may' and insert in lieu thereof 'shall'."

"On page 4, strike out the paragraph commencing on line 28 and ending on line 35."

Mr. BACON. I offer as a substitute for the proviso the one I now send to the desk.

The VICE PRESIDENT. The Senator from Georgia offers an amendment in the form of a substitute for the proviso, which will be read.

The SECRETARY. In lieu of the proviso insert:

"Provided, That the Senate advise and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or moneyed obligation of any State of the United States, or any question which depends upon or involves the

maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine, or other purely governmental policy."

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Georgia to the resolution of ratification. The yeas and nays were ordered, and Mr. Bacon's amendment to Mr. Lodge's resolution was agreed to—yeas 46, nays 36, not voting 9.

The VICE PRESIDENT. The question is on agreeing to the resolution of ratification as amended.

The yeas and nays were ordered, and the Secretary called the roll. The result was announced—yeas 76, nays 3, not voting 12.

The VICE PRESIDENT. Two-thirds having voted in favor thereof, the resolution as amended is adopted.

International wireless telegraph convention concluded July 5, 1912.

January 22, 1913: On motion by Mr. Root, the Senate proceeded to consider the same.

The convention was read the second time and considered in Committee of the Whole; and no amendment being proposed,

Was reported to the Senate.

The convention was considered in the Senate; and no amendment being proposed,

Mr. Root submitted the following resolution for consideration:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the radio-telegraphic convention signed at London on July 5, 1912, with the final protocol and service regulations connected therewith: Provided, That the Senate advise and consent to the ratification of said convention with the understanding to be expressed as a part of the instrument of ratification that nothing in the ninth article of the regulations affixed to the convention shall be deemed to exclude the United States from the execution of her inspection laws upon vessels entering or clearing from her ports."

The resolution was considered by unanimous consent and unanimously agreed to.

Ordered, That the said resolution be transmitted forthwith to the President of the United States.

Convention signed at Paris on January 17, 1913, modifying the international sanitary convention of December 3, 1903.

February 19, 1913: On motion by Mr. LODGE, and by unanimous consent, the Senate as in Committee of the Whole proceeded to the consideration of the said convention, and no amendment being proposed, it was reported to the Senate; and no amendment being proposed,

Mr. LODGE submitted the following resolution, which was considered by unanimous consent and unanimously agreed to:

"Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of a convention between the United States and other powers, signed at Paris on January 17, 1913, modifying the international sanitary convention of December 3, 1903: Provided, That the Senate advise and consent to the ratification of said convention with the understanding, to be expressed as a part of the instrument of ratification, that nothing contained in article 9 thereof shall be deemed to prevent the United States from carrying out any special quarantine measures against the infection of its ports which might be demanded by unusual sanitary conditions."

Ordered, That the Secretary lay the said resolutions before the President of the United States.

Mr. PHELAN. Mr. President, I wish to give notice that to-morrow, at the convenience of the Senate, I shall submit some remarks on the pending Shantung amendment.

RECESS.

Mr. LODGE. I move that the Senate take a recess until 11 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until to-morrow, Thursday, October 16, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, October 15, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and most merciful God, our Heavenly Father, we thank Thee for the gift of choice which Thou hast bestowed upon us and which lifts us infinitely above the brute creation and makes us indeed Thy children; yet we realize the awful responsibility it brings with it and we most earnestly pray for strength, that we may resist the temptations which are round about us and submit our will to Thy will. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Dudley, its enrolling clerk, announced that the Senate had passed joint resolution (S. J. Res. 112) continuing temporarily certain allowances to officers of the Navy and Marine Corps, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the bill (S. 3190) to authorize the construction of a bridge across the Pocomoke River at Pocomoke, Md., in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the joint resolution (S. J. Res. 46) extending until July 1, 1920, the